

Second Session - Thirty-Ninth Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

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(Hansard)

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Ninth Legislature

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LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 5, 2007

The House met at 1:30 p.m.

PRAYER

ROUTINE PROCEEDINGS

INTRODUCTION OF BILLS

**Bill 13—The Highway Traffic Amendment Act
(Damage to Infrastructure)**

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): I move, seconded by the Minister of Advanced Education (Ms. McGifford), that Bill 13, The Highway Traffic Amendment Act (Damage to Infrastructure); Loi modifiant le Code de la route (dommages causés à l'infrastructure), be now read a first time.

Motion presented.

Mr. Lemieux: This bill is the first of a two-phased approach to address the issue of collisions with bridges and infrastructure to impress upon drivers the need for greater attention to the dimensions of their vehicles and that loads being transported are appropriate for the routes being travelled. A new offence has been created under The Highway Traffic Act respecting vehicles which collide with and cause damage to infrastructure.

Phase 2 of the government's action plan will involve implementation of appropriate measures to deal with driver education, awareness and testing, enhanced monitoring and a more proactive enforcement approach, as well as recovery of costs for repair of damaged infrastructure.

Mr. Speaker: Is it the pleasure of the House to adopt the motion? *[Agreed]*

PETITIONS

Dividing of Trans-Canada Highway

Mrs. Mavis Taillieu (Morris): I wish to present the following petition to the Legislative Assembly of Manitoba.

These are the reasons for this petition:

The seven-kilometre stretch of the Trans-Canada Highway passing through Headingley is an

extremely busy stretch of road, averaging 18,000 vehicles daily.

This section of the Trans-Canada Highway is one of the few remaining stretches of undivided highway in Manitoba, and it has seen more than 100 accidents in the last two years, some of them fatal.

Manitoba's Assistant Deputy Minister of Infrastructure and Transportation told a Winnipeg radio station on October 16, 2007, that when it comes to highways projects the provincial government has a flexible response program, and we have a couple of opportunities to advance these projects in our five-year plan.

In the interests of protecting motorist safety, it is critical that the dividing of the Trans-Canada Highway in Headingley is completed as soon as possible.

We petition the Legislative Assembly as follows:

To request the Minister of Infrastructure and Transportation (Mr. Lemieux) to consider making the completion of the dividing of the Trans-Canada Highway in Headingley in 2008 an urgent provincial government priority.

To request the Minister of Infrastructure and Transportation to consider evaluating whether any other steps can be taken to improve motorist safety while the dividing of the Trans-Canada Highway in Headingley is being completed.

This is signed by Herb Burnell, P. Shuttleworth, Randy Cameron, and many, many others.

Mr. Speaker: In accordance with our rule 132(6), when petitions are read they are deemed to be received by the House.

Waverley West—New School Construction

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

The government has taken upon itself to develop Waverley West, a suburb that will eventually be the

size of Brandon, without any funding for new schools in this part of Winnipeg. This will ultimately put a strain on other schools in the Pembina Trails School Division.

With the realignment of catchment areas, caused by this lack of planning, families will be required to move their children from one school to another.

Disruption for children attending southwest Winnipeg schools could be harmful for their education and present a difficult and unnecessary change for these children and their families.

We petition the Manitoba Legislative Assembly as follows:

To urge the Minister of Education (Mr. Bjornson) and the Premier (Mr. Doer) to consider setting aside land and funds to construct new schools to accommodate the needs of the new provincial government development of Waverley West to allow children attending schools in the southwest area of Winnipeg to remain in existing schools located closer to home.

Signed by Helen Goertzen, Glen McCoubrey, Heather McCoubrey and many, many others.

Personal Care Homes–Virден

Mr. Larry Maguire (Arthur-Virден): Mr. Speaker, I wish to present the following petition to the Legislative Assembly.

These are the reasons for this petition:

Manitoba's provincial government has a responsibility to provide quality long-term care for qualifying Manitobans.

Personal care homes in the town of Virден currently have a significant number of empty beds that cannot be filled because of a critical nursing shortage in these facilities.

In 2006, a municipally formed retention committee was promised that the Virден nursing shortage would be resolved by the fall of 2006.

Virtually all personal care homes in southwestern Manitoba are full, yet as of early October 2007, the nursing shortage in Virден is so severe that more than one-quarter of the beds at Westman Nursing Home are sitting empty.

Seniors, many of whom are war veterans, are therefore being transported to other communities for care. These communities are often a long distance from Virден and family members are forced to travel

for more than two hours round trip to visit their loved ones, creating significant financial and emotional hardship for these families.

Those seniors that have been moved out of Virден have not received assurance that they will be moved back to Virден when these beds become available.

We petition the Legislative Assembly of Manitoba as follows:

To request the Minister of Health (Ms. Oswald) to consider taking serious action to fill the nursing vacancies at personal care homes in the town of Virден and to consider reopening the beds that have been closed as the result of this nursing shortage.

To urge the Minister of Health to consider prioritizing the needs of those seniors that have been moved out of their community by committing to move those individuals back into Virден as soon as the beds become available.

Mr. Speaker, this petition is signed by Albert Webb, M.B. Russell, Jean Appenheimer and many, many others.

Crocus Investment Fund–Public Inquiry

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I wish to present the following petition to the Legislative Assembly of Manitoba.

The background to the petition is as follows:

The 2007 provincial election did not clear the NDP government of any negligence with regard to the Crocus Fund fiasco.

The government needs to uncover the whole truth as to what ultimately led to over 33,000 Crocus shareholders to lose tens of millions of dollars.

The provincial auditor's report, the Manitoba Securities Commission's investigation, the RCMP investigation, the involvement of revenue Canada and our courts, collectively, will not answer the questions that must be answered in regard to the Crocus Fund fiasco.

Manitobans need to know why the government ignored the many warnings that could have saved the Crocus Investment Fund.

We petition the Legislative Assembly of Manitoba as follows:

To urge the Premier (Mr. Doer) and his NDP government to co-operate in uncovering the truth in

why the government did not act on what it knew and to consider calling a public inquiry on the Crocus Fund fiasco.

Mr. Speaker, this is signed by V. Torres, A. Torres, R. Santos and many other fine Manitobans.

* (13:40)

TABLING OF REPORTS

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I would like to table the following: The Fidelity Bond Statement in accordance with section 20 of The Public Officers Act.

ORAL QUESTIONS

Manitoba Hydro Power Line East Side UNESCO World Heritage Site

Mr. Hugh McFadyen (Leader of the Official Opposition): Mr. Speaker, Jim Collinson is a former chair of the UNESCO World Heritage Committee. He's an eminent Manitoban who chaired the World Heritage Committee for two terms during which time they considered applications with respect to some very sensitive designations of UNESCO World Heritage Sites including Auschwitz, the Panda reserves in China and Australia's Queensland rain forest.

When asked by our caucus to comment on the issue of the possibility of UNESCO designation, World Heritage designation for the east side of Lake Winnipeg and the potential impact of a transmission line on such a designation, he replied that there would be no impact on such an application from a transmission line. In fact, the existence of a transmission line would neither guarantee nor not guarantee the ultimate success of any UNESCO application. This is an eminent Manitoban and a former chair of the UNESCO World Heritage Committee. He says, and I quote, using the World Heritage threat and associated arguments as a basis for relocating the transmission line west of Lake Winnipegosis is not based on fact.

Mr. Speaker, another one of the Premier's phony arguments for his west-side daffy detour has fallen by the wayside. Why is he throwing away \$1.5 billion without having done his homework?

Hon. Gary Doer (Premier): Mr. Speaker, the member opposite uses the term "basis of a decision." There are a number of factors that go into a direction, and he sometimes uses one and says that is the

reason and he uses another one another day and says that is the reason or the basis—

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. There was just a report out yesterday from the Ontario Environmental Commissioner talking about the need to be extremely careful on the management, including the transmission lines, of the boreal forest in northwestern Ontario. It talked about this issue being of international ecological importance. It was the last intact boreal forest in North America. It talked about its relative value to Canada being some \$93 billion.

A few days ago, we pointed out that the Province of Alberta, after they tried for three years unsuccessfully to get licensed a transmission line from Calgary to Edmonton, the new position of the utility is that you have to not only consider cost, but also environmental considerations in the siting of a transmission line. Dare I say that's even in the highly developed area and corridor between Calgary and Edmonton.

As I say, there's another report out dealing with the sensitivity of the boreal forest. Mr. Speaker, I would point out that the member opposite talks about a straight line, and we certainly acknowledge that a more circuitous route is more expensive. But if a straight line eventually leads to the cancellation of hundreds of millions of dollars in sales to other markets, well, members opposite wouldn't know anything about that because they've never sold a megawatt to Minnesota.

Mr. McFadyen: Mr. Speaker, he is the one who's provided the buffet of reasons for the decision and every single one of those reasons, when it's examined up close, falls by the wayside. So UNESCO applications are no longer a credible reason for it. He talks about protection of boreal forest. His government has just put forward a licensing application to plough a highway through the boreal forest.

So I want to ask the Premier: How many phantom protesters have applied now to appear before the licensing body so that they can fight to the death the highway that they're now proposing to plough through the boreal forest, the winter road application that they've now got on the books of the Clean Environment Commission, through the very same so-called pristine boreal forest, Mr. Speaker?

He just simply doesn't have a leg to stand on. He's throwing away \$1.5 billion, a \$1.5-billion debt to be left to future generations, compromising their ability to build hospitals and schools, requiring them to work longer hours for the same pay. So the UNESCO argument falls by the wayside.

Elijah Harper and Brian Schwartz say that the east side is the way to go. MKO chiefs, representing the majority of communities on the east side, say there's support for an east-side line. Xcel Energy, the biggest buyer of power from Manitoba, says they're not concerned about where the line goes. Eight prominent professional engineers say please reconsider the decision, Mr. Speaker. Now the former chair of the UNESCO World Heritage Committee is saying that you can have a UNESCO site and a transmission line. They're putting forward an application to plough roads through the boreal forest. So that argument is nonsense.

Why doesn't he come clean and tell us the real reason why they're throwing away \$1.5 billion?

Mr. Doer: Mr. Speaker, the member yells louder and embellishes the numbers even more every day.

Mr. Speaker, at the invitation of governors from the Midwestern states and with many utilities from the Midwest in attendance, including crucial people from the perspective of Manitoba Hydro, it was pointed out, in fact, there were presentations made where the environment was zero, a zero consideration for utilities dealing with energy 10 years ago and 5 years ago, and now it is equal or as important as rates and reliability in terms of public opinion for customers that we're dealing with.

Secondly, Mr. Speaker, you talk about Mr. Schwartz and Elijah Harper. We are not promising the yellow brick road, a free road, that Hydro has now said would be separate from if they ever built a line on the east side because of the issue of remoteness. The members opposite also should know that the proposed east-side road, not the yellow brick road, the phony road that members opposite are supporting and which has never been part of the Hydro plans. In fact, we had to have 80 meetings. The Member for Rupertsland (Mr. Robinson) and I and many others went to 80 meetings to say that it was never part of the Hydro plan to include ownership of the hydro line or building of the so-called yellow brick road that members opposite had mythically promised on the east side.

Finally, Mr. Speaker, the road on the east side is going up, and this is a strange thing for members opposite. There's an existing winter road that goes up to many of those communities. That's where the proposed all-weather road is proposed by our government. It is already an existing site for most of those communities.

Rural Health Care Ambulance Service Cuts

Mr. Kelvin Goertzen (Steinbach): Well, Mr. Speaker, I think the Premier talks about a yellow brick road. I think that answer was from Oz, it's so ludicrous in its response.

Mr. Speaker, most Manitobans go to their mailboxes at this time of year with a sense of anticipation looking for Christmas cards or maybe gifts from loved ones, but not the residents in West Hawk Lake or in Falcon Lake who go to their mailboxes looking for a memo from the Minister of Health saying that their ambulance service is disrupted.

So it was on Tuesday that they got another letter from the Minister of Health saying there'd be no ambulance service from December 8 until December 11, or from December 14 right up until Christmas.

Can the minister tell these residents how long they're going to have to wait for an ambulance during the holiday season?

*(13:50)

Hon. Theresa Oswald (Minister of Health): I thank the member for the question. He and I have had an opportunity to speak about EMS on a number of occasions. He has asked me in direct reference to some constituents who have asked him concerning Falcon Lake. Certainly, we have committed that we have no intention of closing that station. We need to ensure that the appropriate staffing is available in those areas at that time. Safety of the people of the community is paramount, and that's why we ensure that we have contingency plans in place. It's also why we committed for the first time in Manitoba history to introduce the primary care paramedic program, a program designed specifically for rural Manitoba needs.

Mr. Goertzen: Well, Mr. Speaker, let's talk a little bit about the minister's contingency plan. This past week, Mr. Garry Harbottle e-mailed his MLA, the Minister of Infrastructure and Transportation (Mr. Lemieux). In that e-mail, he said on November 18

his 86-year-old mother collapsed in their home out in West Hawk-Falcon Lake area. They called 911 and were told that an ambulance wasn't available from their area, so they would have to wait for another ambulance. They waited 10 minutes. They waited 20 minutes. They waited half an hour. They waited 45 minutes. Finally, after an hour, an ambulance arrived to take care of the 86-year-old mother.

I know that the Minister of Infrastructure and Transportation knows his way to Falcon Lake. He found his way there during the election. Can he go out there now that there isn't an imminent election coming and speak with these individuals, meet with them and come up with a solution, Mr. Speaker?

Ms. Oswald: Certainly, in the individual case that the member cites, we will certainly investigate to see what may have caused a delay in response time. It's for that reason, Mr. Speaker, that we have made investments in emergency medical services in Manitoba of an unprecedented nature. It's why we created the MTCC in Brandon, so that we can improve our response times. It's a program that, of course, is being looked at nationally, to be copied by other jurisdictions. It's why, of course, we made the investment in replacing over 160 ambulances to replace that fleet predominantly for rural Manitoba, and we know the most important thing that we can do is ensure that we staff those ambulances, which is why we're increasing that training with the PCP program, a program that the Paramedic Association asked for, and we answered that.

Program for International Student Assessment Manitoba's Rankings

Mr. Ron Schuler (Springfield): Mr. Speaker, the Program for International Student Assessment which measures proficiency levels in 57 countries in science, reading and mathematics was released yesterday. In both science and reading, Manitoba ranked significantly lower than the Canadian average. Under this minister, the percentage of Manitoba students with high-level proficiency in science is slightly better than Lichtenstein but below Slovenia.

I'd like to ask this Minister of Education: Why has he failed to ensure Manitoba's education system is at least keeping up with the rest of Canada?

Hon. Peter Bjornson (Minister of Education, Citizenship and Youth): It's refreshing to hear a question that deals with the quality of education, in

this Chamber, Mr. Speaker, and I'm pleased that the member provided me with an opportunity to address the latest results from PISA. When compared to other countries, Canada ranks within the top four countries in the world, and Manitoba—[interjection]—I'm getting there—Manitoba students continually rank in the top five among Canadian provinces. The United States conversely ranks outside the top 30.

When you look at reading, we are essentially tied with five behind Alberta and Ontario. When you look at math, we're essentially tied with four behind Québec and Alberta, and when you look at science, we're tied with five behind Alberta, B.C. and Ontario.

Mr. Speaker, we continue to invest and make improvements in learning in Manitoba.

Mr. Schuler: Mr. Speaker, under this Minister of Education, we have seen Manitoba's number slip in reading and mathematics in the Program for International Student Assessment. The percentage of students meeting expectations also declined in the grade 3 provincial assessment.

Why has this Minister of Education failed children and Manitoba by failing to improve educational outcomes?

Mr. Bjornson: Well, Mr. Speaker, when you look at our educational outcomes, we've increased the graduation rate from 73 percent to 84 percent. When you look at educational outcomes, there has been, I believe, a 25 percent increase in the number of undergraduates as well. When you look at educational outcomes, we have more Rhodes Scholars in Manitoba than any other jurisdiction in western Canada.

Our commitment is to increase opportunities for children in schools. Their commitment was they didn't see a need to increase funding to education because they thought that declining enrolment—there wasn't any need to increase funding. They committed to \$10 million for elite schools, rewarding elite schools, Mr. Speaker.

This is a government that understands and supports public education, Mr. Speaker.

Homicide Rate City of Winnipeg

Mr. Gerald Hawranik (Lac du Bonnet): Mr. Speaker, in 1999, again in 2003 and again in 2007, all during election campaigns, this Premier (Mr. Doer) and this Minister of Justice promised

safer communities. So far this year, there have been 25 recorded homicides in the city of Winnipeg.

So I ask the Minister of Justice: When will he deliver on his election promise to make safer communities in Manitoba?

Hon. Dave Chomiak (Minister of Justice and Attorney General): Mr. Speaker, as I said in my comments yesterday during my talking about the witness protection program, we have put in place probably the most robust provincial program in the country with respect to safer communities, with respect to fortified buildings. We've increased by 160 the number of police officers in the street and doubled our Prosecutions unit. To the extent that the Province can, we're seen as being in the forefront. In addition, the federal government actually called this Province to Ottawa to stand beside the federal Minister of Justice on toughening up the Criminal Code in offences. We led in asking for that, the federal government is delivering that, and we stood by side with them on that.

Mr. Hawranik: Mr. Speaker, three election promises made and not a single election promise kept. In four of the last seven years, this NDP government has managed to make Winnipeg the murder capital of Canada with as few as 17 homicides, and today, with almost a month left in 2007, there are 25 recorded homicides in the city of Winnipeg.

So I ask the Minister of Justice: Is he satisfied that Winnipeg will likely again be the murder capital of Canada?

Mr. Chomiak: Mr. Speaker, two weeks ago I had a discussion with the Minister of Justice in Alberta about Edmonton being the murder capital of Canada and how unfortunate that was, and we talked about the Alberta task force that had 29 recommendations, of which—*[interjection]*

I know members opposite think this is only politics, but this is dealing with people's lives.

You know, Mr. Speaker, of the 29 recommendations the Alberta task force had, Manitoba had done over 20 of them already, and we discussed with Ron Stevens how Alberta can implement some of their recommendations along the lines that we had already done in Manitoba in order to deal with a very serious outbreak of homicides in Edmonton. It's not something we're proud of, but we're working on.

Manitoba—Economy Tax Rates

Mr. Rick Borotsik (Brandon West): Mr. Speaker, the Minister of Finance is living in la la land. Either he doesn't know what to do about out-migration, or he doesn't care.

Over the past five years, StatsCan tells us that Winnipeg has lost 11,000 people, most of them to Calgary and Edmonton. Well, let me give the minister a hint. They're leaving because of lower taxes, they're leaving because of more opportunity, and they're leaving because there's a friendly business environment.

If the minister ever wants to become leader, now is the time to show leadership. Will he fix our punishing tax regime?

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I appreciate the question on taxes from the members opposite because I thought the members opposite were going dangerously over the line on their spending requests in the last week. They've asked for new schools in south Winnipeg. They've asked for new highways all over southern Manitoba. They've asked for new hospital facilities all over southern Manitoba. So I'm so glad the Member for Brandon West is bringing a little balance to the caucus, and he will know that on January 1, the basic exemption will go up, the small-business tax rate will go down, the corporate tax rate will go down, and the personal income tax rate will go down. And it will be a very merry Christmas for everybody because of that.

* (14:00)

Mr. Borotsik: And the Minister of Finance, Mr. Speaker, will also know with those little tinklings of excess in our tax regime that we're still going to fall so far behind Saskatchewan, Alberta and British Columbia, people are still going to leave in droves from this province.

Mr. Speaker, right now, head office employment has decreased by 7 percent and perhaps it might have something to do with payroll tax. Private sector employment has fallen well behind the Canadian average. The private sector is what makes the economic wheel go round, but our public sector is growing by leaps and bounds. That is unsustainable.

Why is the minister so reluctant to accept that there is a problem, and when will he live up to his responsibility as Finance Minister and fix the

deplorable tax regime and increase it to at least the levels of Saskatchewan?

Mr. Selinger: Mr. Speaker, the fact of the matter is our property taxes in Manitoba are \$400 million less than comparable taxes in Saskatchewan. Our small-business rate is less than those in Saskatchewan. Our graduate tuition tax rebate program means a young person earning up to \$50,000 in Manitoba has the lowest taxes of anybody in Canada. The member opposite knows all of these facts because they were explained to him during the Estimates process. If anybody is living in a state of denial, it's the Member for Brandon West.

Greenhouse Gas Emissions Reduction Targets

Mrs. Heather Stefanson (Tuxedo): Mr. Speaker, there seems to be a common theme here today that members opposite and Cabinet ministers are only seeming to take their advice from Marge Simpson who said, aim so low, kids, aim so low that no one will ever care if you don't succeed. That's terrible advice, and they should start to aim much higher for Manitobans.

Mr. Speaker, the NDP government's so-called commitments to reducing greenhouse gas emissions is nothing but smoke and mirrors. I would like to table the 1990-2005 greenhouse gas emission summary for Manitoba from the National Inventory Report. This table shows that the year 2000, which the NDP chose as their greenhouse gas reduction target over the next three years, is one of the easiest targets to meet in the last 17 years.

Mr. Speaker, how can this NDP government honestly say they're on their way to meeting their Kyoto commitment by 2012 if their target for 2010 is to complete only 5 percent of the job?

Hon. Gary Doer (Premier): Mr. Speaker, I appreciate the question from the honourable member, the co-chair of the last election campaign for her party, along with her friend on the other side. I would point out that, in terms of an election, our election target was 29 to hold government. Their election target was 29. If you can answer the question of who resulted low and who resulted high, that's a point that we want to make. If you have a target of 29, you have the ability to exceed that target, which of course we're going to do with the Kyoto reduction emissions in Manitoba.

Mrs. Stefanson: Mr. Speaker, that's the most pathetic answer I've heard from this Premier in a

long time. Yes, aim high; let's go for 5 percent over three years. Leave the other 95 percent for later. Yes, let's aim high.

Mr. Speaker, not only has this government set the bar so low over the next three years, but they have yet to even introduce legislation this session to meet this commitment. It's hardly a government that is conscientious about reducing greenhouse gas emissions. Tomorrow the House will rise until some time in the spring, yet there is no legislation on either the Notice or Order Paper to follow through on their commitment to even meet 2000 levels.

How can this government honestly believe they're on track to meet their Kyoto target when they have yet to show they are committed to even following through on what they announced in this Throne Speech?

Mr. Doer: Mr. Speaker, we're pleased to see that their climate change advocates and their source of information is *The Simpsons*, the great family that works in a nuclear plant. But, what can I expect from the martini party across the way?

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Doer: Thank you, Mr. Speaker. We're happy with our agricultural products, our beer, in terms of our policy.

I would point out that you can have a target of 29, and you can actually do better than that. The key is to have a target to succeed. We think it's very clear that we have a target to succeed, and we're going to succeed. We're not only going to meet our target; we're going to exceed our target. The great announcement on ethanol yesterday helped. The closing of a coal plant helped. Many other strategies will help for us to lower the emissions in Manitoba. We're proud of that.

Sinclair Report Recommendations Implementation

Hon. Jon Gerrard (River Heights): Mr. Speaker, the unconscionable treatment of Mr. René Lafournaise who was refused support to get out-of-province surgery in Edmonton raises a very important issue. In the Sinclair report released seven years ago on November 27, 2000, he said, in no uncertain terms, that Manitoba patients must have a right to an out-of-province referral in circumstances precisely like Mr. René Lafournaise's.

I ask the Minister of Health: Why has this critical recommendation of the Sinclair report not yet been implemented seven years later?

Hon. Theresa Oswald (Minister of Health): In fact, the member opposite is incorrect. From the moment that we took office in 1999, when patients required radiation therapy because at that time they were waiting dangerously long times for that therapy, they were sent out of the province. Out-of-province coverage continues today, Mr. Speaker. There's an appropriate process to go through for that.

I cannot speak for certain that the member opposite has the permission of the individual he's speaking of today. He's made that error before. I can confirm for the House, however, that individuals that were in a similar predicament will be receiving that particular surgery within weeks; the person in question, next week, Mr. Speaker.

Mr. Gerrard: Waiting a year for badly needed surgery, losing 50, 60 pounds, is a complication, is a problem, as a result of not having access to surgery. This is hardly fulfilling the Sinclair report recommendation. The Sinclair report also recommended that where there's a critical incident, an initial review should be conducted within 48 hours and a report completed within 72 hours.

I ask the Minister of Health: In how many critical incidents is this time line being met? Is the minister keeping a central file of medical error reports in the province, and what procedures are in place to make sure that this element of the Sinclair recommendations is met, and will she provide the documentation?

Ms. Oswald: Again, for the record, and to clarify misinformation that the member opposite is putting on the record, I can confirm for him that, indeed, prior to the Sinclair report, medical errors and the culture of errors in medicine were swept under the carpet. Since then, there have been many initiatives, initiatives that make Manitoba a leader in patient safety, to bring those errors out into the open in a very timely way.

That goes from the amendment to the RHA act. It goes to our creation of the Protection for Persons in Care Office. It goes to the amendment to The Medical Act to allow information about doctors in the province to be published. It goes to, in fact, information that came from the Manitoba Centre for Health Policy in 2006 that found that Manitoba's

overall rate of medical error was very low, less than 1 percent of the cases. We have to be vigilant and keep working in this area, but the member opposite ought not mislead this House.

* (14:10)

Mr. Gerrard: Mr. Speaker, the minister talks a lot, but she's provided very little documentation of progress. When there's a plane crash and a problem is found, changes are made to the system. They don't have to wait seven years.

When errors are made, there should be new standards set. If the minister has made changes, she should table all the standards that have changed and make sure that the patients, the families who have been affected, are aware of the changes in provincial standards.

I was disappointed today to receive a letter from somebody who was so troubled by the delays and problems in the system, he called it a farce. Come on, Madam Minister, come clean and show us the documentation that you're actually following up, making sure medical errors don't happen again.

Ms. Oswald: Mr. Speaker, once again, as I've said to the member opposite on a number of occasions, including during our discussions where we jointly passed The Apology Act despite his statements in the media to suggest that our side of the House doesn't pass opposition bills, that was not true.

Furthermore, I can tell the member opposite that a number of initiatives have occurred because ensuring that patients in Manitoba are safe is a job that never ends. It's ongoing. Whether it's the amendment of the RHA act, the creation of the Protection for Persons in Care Office, whether it's the enshrining in legislation the reporting of critical incidents, whether it's enshrining in legislation that families be informed of those critical incidents, whether it's going on to provide information to the Manitoba Centre for Health Policy about medical errors, we have to have an open environment. That's exactly what we do, Mr. Speaker, and we're going to keep working on that.

Ethanol Production New Initiatives

Mr. Tom Nevakshonoff (Interlake): Mr. Speaker, once again it is incumbent upon me to put a question on behalf of rural Manitobans and the agriculture producers. You should be ashamed of yourself. I wonder if all the rural members are clustered around

the TV with the Member for Tuxedo (Mrs. Stefanson), watching *The Simpsons*. That must be the case.

Yesterday it was apparent the Member for Arthur-Virden (Mr. Maguire) was asleep at the switch. Today it appears the Member for Minnedosa (Mrs. Rowat) is as well. There was a major announcement in her constituency yesterday about ethanol.

Could the Minister of Science, Technology, Energy and Mines brief us on the announcement made yesterday. Thank you, Mr. Speaker.

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): Mr. Speaker, I'd like to point out to all members that yet another program which will allow us to meet our Kyoto targets and exceed them was announced yesterday. It's a win for the environment. It's a win for farmers. It's a win for the economy in general.

What it is is taking a 10-million litre plant, expanding it to 130 million litres. It's getting rid of 135 tonnes of greenhouse gases. It's taking feed, cattle feed, turning it into fuel and then feeding these animals and then turning it to food. So it's increasing value-added; it's increasing jobs.

It's decreasing greenhouse gases, and it's good for the farm economy. I'm proud to say that we can have triple wins and we do have triple wins in this government.

Wind Power Energy Amount of Production

Mr. Cliff Cullen (Turtle Mountain): Mr. Speaker, I think for the members' benefits opposite, we should point out that the Keystone Agricultural Producers held an open house in their new offices today. Over half of the Progressive Conservative caucus was there. Even half of the Liberal caucus was there. Not one member from government was there.

Some Honourable Members: Oh, oh.

Mr. Speaker: Order.

Mr. Cullen: Thank you, Mr. Speaker. During the election, this Premier (Mr. Doer) promised that 1,000 megawatts of electricity would be generated by wind power in Manitoba. Now we hear the Premier saying that the numbers don't work. We know Ontario is moving forward on 2,200 megawatts. Québec is moving forward on 2,500 megawatts, while Manitoba is sitting still. In

fact, the industry says some players are prepared to walk away from Manitoba. This is shaping up as another broken NDP promise.

Mr. Speaker: Order. The honourable member's time has expired.

Hon. Jim Rondeau (Minister of Science, Technology, Energy and Mines): Well, I'm pleased to respond to the fact that we actually do have a St. Leon wind farm that was built under our government. This was an initiative that started under government. You can go and see it. It's in the member opposite's constituency. I can also say that an RFP was sent out by Hydro. We're anticipating the short list very, very shortly. I anticipate not only wind, but other sources of energy in the future. We have been working forward not only to have the renewable portfolio, closing down coal plants, building wind farms, but we're looking forward to further expansion in the very near future.

Business Regulations Amount of Red Tape

Mrs. Mavis Taillieu (Morris): Mr. Speaker, yesterday in the House, the NDP tabled three thick binders of onerous regulations. They seemed so proud. These only add to the dizzying number of regulations already facing businesses in Manitoba, and this after claiming they wanted to reduce red tape. Their only solution has been to set up a Web site so they can get our money into their hands faster.

Mr. Speaker, why is the Minister of Competitiveness so proud of the additional regulations that strangle business when it is already estimated that the regularly costs to Manitoba business is \$846 million a year?

Hon. Jim Rondeau (Minister of Competitiveness, Training and Trade): Mr. Speaker, the business community has said that we have the second-lowest red tape in Canada. We're proud of that fact and we're decreasing it.

Specified Risk Management Programs Time Line for Funding Proposals

Mr. Ralph Eichler (Lakeside): I, too, would like to congratulate KAP on their open house and 24 years of service in the agriculture industry.

Mr. Speaker, July 11, the day before Canada's enhanced feed ban took effect, the provincial government signed on to specified risk management material agreement with the federal Conservatives.

The funding deadline is fast approaching. A 5.5-month time frame is not a lot of time for stakeholders to develop funding proposals.

Mr. Speaker, has the minister negotiated a deadline extension for this important program?

Hon. Stan Struthers (Acting Minister of Agriculture, Food and Rural Initiatives): Well, well, well, Mr. Speaker, *The Simpsons* finally go to the farm, finally.

Our Agriculture Minister has worked very hard in terms of providing the best possible protection when it comes to SRMs. She has worked with producer groups such as KAP, who I must say we've enjoyed a very good working relationship with over our terms in government. Also, the Minister of Agriculture has worked with municipal groups to make sure that we do have in place a network that works well to protect our industry in terms of SRMs.

PTH 10, 16 and PR 355 Intersection Improvement

Mrs. Leanne Rowat (Minnedosa): Mr. Speaker, in speaking with the mayor and community of Minnedosa, they're very pleased at the hard work that they've undertaken to expand the Husky plant with Husky themselves with very minimal support from this provincial government. Here's an opportunity where the government can play a role. There are ongoing concerns about the intersection of provincial highways 10 and 16 and PR 355. Minnedosa Mayor Duane LaCoste has stated, and I quote, the relocation of the intersection and associated improvements will significantly reduce the hazards. It is our goal to reduce the risk to life and injury. Preliminary plans for the intersection improvement have been drawn up, and there is no funding in the 2008 construction season budget.

Mr. Speaker, what are this government's priorities? Will they wait until there's a fatality at this project junction before they do anything?

* (14:20)

Hon. Ron Lemieux (Minister of Infrastructure and Transportation): Mr. Speaker, we're very proud of our \$4-billion 10-year plan that we've got. Not only have we looked at many, many projects throughout the province to ensure that safety on roads is ensured, we'll work in co-operation with many rural municipalities, towns, villages and communities throughout the province of Manitoba to

ensure that we address a lot of the concerns in the province.

Health Care Wait Times for Specialists

Mr. Cliff Cullen (Turtle Mountain): My constituent, Rob MacDonald, suffers from MS. The wait time to see a specialist is so long even the MS staff is recommending he go out of province for treatment. Mr. MacDonald now needs a stomach scope. The wait time for this procedure is at least three months, but doctors have advised him he can pay \$100 and have the procedure done within three weeks here in Manitoba.

Is the Minister of Health satisfied with a system where doctors are recommending patients leave the province for treatment and patients are being forced to pay for expedited services?

Hon. Theresa Oswald (Minister of Health): Certainly, if the member opposite has some specifics about a case that he has not yet sent to my office, I would be very pleased to receive them and work together with him to assist in that matter wherever possible.

Further, I can also say for the House that the single most important thing that we can do to reduce wait times in Manitoba is, of course, to increase our complement of doctors. That's exactly what we committed to do through recruitment and retention efforts and, of course, by increasing the seats in the medical school. Those same seats, Mr. Speaker, that the members opposite, in the name of penny-pinching, decided to cut during their tenure. They really proved to us that health care wasn't their priority during the election when they didn't promise to bring one doctor to Manitoba.

Mr. Speaker: Time for Oral Questions has expired.

MEMBERS' STATEMENTS

Southeastern Filipino Association

Mr. Kelvin Goertzen (Steinbach): Mr. Speaker, across southeastern Manitoba, many new Canadians and soon-to-be Canadians are making their home. These individuals and the backgrounds they represent are not only adding to our region in numbers, they also bring with them a strong sense of culture and spirit. As an example, I'd like to specifically mention the growing number of residents who have moved to southeastern Manitoba from the Philippines and who are becoming a significant and an important part of our region.

Recently, these residents formed the Southeastern Filipino Association and led by their president, Jorie Morrisseau, have participated in a number of different events in Steinbach and the region, sharing the Filipino culture and lending their incredible spirit to these events.

My wife, Kim, and I, along with our son Malachi, have been honoured to be the guests at some of these events hosted by the Southeastern Filipino Association. We are glad to have met many new friends through these occasions.

We have been inspired by their dedication to family, their commitment to faith and their hardworking spirit. These attributes fit well with our heritage in southeastern Manitoba and together with the diversity of culture have added significantly to these communities.

On behalf of all members of the Manitoba Legislature and on behalf of all residents of Manitoba, I wish to thank the Southeastern Filipino Association for their contributions that they make to our province and for the important role they will play in its future. Thank you very much.

Brandon Family YMCA

Mr. Drew Caldwell (Brandon East): Mr. Speaker, the Brandon Family YMCA has been at the centre of life in Brandon since it first opened its doors in 1886. A number of facilities have been operated by the YMCA during this time, including the present gymnasium and pool which were opened in downtown Brandon some 41 years ago in 1966.

Mr. Speaker, I am proud to advise the House today that the Brandon Family YMCA is embarking upon the most exciting development in its impressive history. In what will become one of the most dynamic institutions in Brandon East, the YMCA has announced that it intends to build a state-of-the-art facility in downtown Brandon which will serve our community for generations to come.

This multimillion-dollar initiative has already garnered a major \$5-million commitment from the City of Brandon, as well as nearly a million dollars from private sources. When built, the new Brandon Family YMCA will contribute to the ongoing revitalization of downtown Brandon and breathe new life into our city's core area.

Mr. Speaker, I would like to extend my congratulations and commit my support to the Brandon Family YMCA as they undertake this

exciting new initiative in Brandon East. I am very proud of my community and privileged to work for Brandon in the Manitoba Legislature. Thank you.

John Fehr

Mr. Ron Schuler (Springfield): I rise today in memory of a loving husband, father, grandfather, brother, uncle and friend, John Fehr, who passed away November 15 at the age of 81.

I am sure that many in this room and many Manitobans province-wide are familiar with this name. John Fehr was a prominent figure in the Manitoba business sector, and with the support of his wife Mary he developed John Fehr Insurance, Beaver Bus Lines and Fehr-Way Tours. They and their children worked tirelessly at building their businesses.

He loved driving buses and he had a genuine love for people. Those two passions led him and his tour groups to many exciting destinations around the globe. Aside from his many businesses, family was ultimately the most important element of John's life. In the summer he would spend weekends at the cottage with his family, and he took great joy in giving boat rides to his children and grandchildren. John rarely sat still and was an exceedingly generous individual who was always willing to lend a helping hand.

Unfortunately, in 1996 John suffered severe heart failure while on an expedition in Israel. He was cared for at home for two and a half years but then went to live at the Bethania Personal Care Home where he was cared for until his passing last month.

John leaves behind his wife, Mary; daughters Rosemarie, Lorraine, Sandra and Diane; son, John; seven grandchildren; three sisters and two brothers. John will certainly be missed not only by his family and his friends but also by the citizens of Manitoba.

The honourable Member for River East (Mrs. Mitchelson) and I had the opportunity to attend the funeral and would like to pass on to the John Fehr family our sincere condolences and prayers on behalf of the Legislative Assembly of Manitoba. Thank you, Mr. Speaker.

Lord Selkirk Royals Volleyball Team

Mr. Gregory Dewar (Selkirk): Mr. Speaker, I rise yet again to recognize the Lord Selkirk Royals girls' volleyball team in winning for the fourth straight year the provincial high school volleyball championship title. They had to battle back to win

the championship against a very determined Westwood Warriors team.

This is a regional team with players from Selkirk, St. Andrews, St. Clements, and I know that the whole community is very proud of their accomplishments.

I would like to name the players, Mr. Speaker: Allie Sawatzky; Alyssa Chubey; Brittany Finnson; Nicole Clemons; Stephanie Monkman; Miranda Grayson; Amy Leschied; Jullie Robertson; Megan Cyr, who was named the most valuable player; Chelsea Fielding; Kristalyn Bielik; Victoria Ryshytylo; Avery Artimowich; head coach, Rick Scott; assistant coach, Robin Craig; another assistant coach, Kristy Fewchuk.

Mr. Speaker, congratulations to all the parents and staff who worked so hard to get this team to the finals, and I know all members of this caucus would like to wish these young women all the best in their future. Thank you.

50 Plus Job Bank

Mr. Kevin Lamoureux (Inkster): Mr. Speaker, I want to take this opportunity to emphasize a problem that we have in regard to the 50 Plus Job Bank.

As of yesterday, that office has indeed been closed. I find that it is most unfortunate in the sense that this is a program for many, many years that has provided wonderful services to our seniors and others. I do not understand the logic that the government has used to allow for this board ultimately to meet its demise. If the government wanted to, it could have been there to support the 50 Plus Job Bank.

I truly do believe that it is a mistake, and the government needs to reflect on what it has allowed to occur. For \$150,000, the thousands of Manitobans that it touches every year, especially in those years in which they're aggressive in terms of going out and promoting, has had such a wonderful, positive impact in our society.

I truly believe that the government needs to rethink it and re-establish the 50 Plus Job Bank. To not do so I think would be a tragic mistake, and I would appeal to all government members to lobby their colleague and minister responsible and get that program restored. Thank you, Mr. Speaker.

GRIEVANCES

Mr. Speaker: The honourable Member for Inkster, up on a grievance?

Mr. Kevin Lamoureux (Inkster): Yes, Mr. Speaker. I wanted to use today as my opportunity to grieve on what I believe is an important issue. It's an issue which I have raised for the last couple of days with the Premier (Mr. Doer) during Question Period, and I am not pleased with the responses that I've received from the Premier.

* (14:30)

For eight years the Premier has had the opportunity to appoint members from the Filipino or East Indian community to his Cabinet and, for whatever reasons, has chosen not to do so, Mr. Speaker. So I'm calling for the Premier to overhaul his Cabinet. I do believe that there is a need to look at the possibility of discrimination, that the Premier is not bringing into Cabinet individuals that could have a great deal to offer in terms of public policy.

Mr. Speaker, whether it was Conrad Santos or Cris Aglugub or current members in The Maples, Radisson, in Wellington, these are individuals that bring a different perspective to our province, individuals that have immigrated and have built our province, and I believe that the Premier, through eight years of sitting and holding that position, should have been acknowledging the credentials of these individuals and the abilities and what they, too, have to offer to the Cabinet table.

I know that some time between now and whenever we go back into session, I believe it's in April, that there will be indeed a Cabinet change, and I would suggest that if the Premier doesn't take a look at these credentials and acknowledge the valuable role that they could play into Cabinet there will be protests here at the Legislature, a protest because for eight years the Premier has ignored the valuable contributions of these two communities.

It's an issue which I've raised in the last provincial election, and the Premier still has refused to acknowledge the value of members from those communities, and this is the reason why. I felt it was important prior to this House recessing to emphasize how important it is for the Premier to incorporate members of the Filipino or East Indian community into his Cabinet.

I can tell you, when you look at immigration to our province, it is the Philippines that is leading the

pack in terms of immigrants coming to our province, and one of the greatest hurdles that has to be overcome for immigrants of all ethnic groups is getting recognition of credentials. The Premier has an opportunity. He can demonstrate some leadership and make appointments that would provide leadership within this Chamber or mentors.

You know, just the other day we talked about a resolution where the NDP tried to talk about how wonderful they were because of individuals that were getting elected to the Chamber. Mr. Speaker, I would ultimately argue that the Premier is doing a disservice by not acknowledging the valuable role that these individuals could be playing, and he has been in the chair, the Premier's, for over eight years.

Having said that, Mr. Speaker, I would qualify it by indicating that there is one concern that I have, and that is the spending of government. This government has shown that it knows how to spend money, and my fear is that, as opposed to overhauling Cabinet, and that really needs to happen, the Premier will increase the size of Cabinet. So I wanted to remind the Premier, back in March 24, 1995, and it's a quote right from the *Winnipeg Free Press* where the Premier stated that he supported a Cabinet size of 15. That's what he was suggesting that Gary Filmon at the time should have had. I recognize that he was advocating for 15. Today I believe we're at 18, and my inclination is to suspect that the Premier will likely attempt to justify increasing the size of Cabinet.

Mr. Speaker, what we want is we want leadership from this Premier. We want the Premier to live up to comments that he's made in the past. We want a Premier that's going to have a Cabinet that better reflects the public of Manitoba and bring in different perspectives, perspectives that are very important. I ultimately would argue that some of the individuals within that caucus that would be able to articulate the needs, immigrant needs, would be individuals that are immigrants themselves, and the Premier has had the opportunity to be able to pick from his caucus individuals that have that sort of expertise, that could bring that sort of expertise when you talk about the future of our province and the need for immigration. I don't understand why the Premier (Mr. Doer) would not make the type of appointments that would add to Manitoba having better public policy.

My thoughts in regard to the question that I asked, and this is the reason why I thought it would

be better to use it as a grievance, because the first time I asked the question, not this year because I actually asked it back in June, I think, but recently, on Monday, I had asked the Premier very specifically why has he not appointed members from the Filipino community or East Indian community to his Cabinet. His response was, well, he doesn't have to take advice from Liberals, Mr. Speaker, who have not elected minorities. Well, we have elected minorities to the Manitoba Legislature, and we have treated minorities better than this government or this leader has treated minorities. I was disappointed in the answer.

Then the following day I raised the question again. What I want to know is, why, for the Premier to tell Manitobans he has chosen not to make an appointment of someone from the Filipino or East Indian community to Cabinet. That's all I wanted to know, for the Premier to tell us why. Yesterday, when I posed the question to the Premier, he didn't even stand up to answer the question. Instead, he had the Justice Minister stand up and provide a bafflegab of an answer, Mr. Speaker. You know, I'm disappointed. We deserve an answer.

The Premier needs to do two things: Recognize what he said in 1995, and ultimately he should be reducing. I believe the Cabinet is at 17. It should be reduced down to 15. That's what he said back in 1995. It's not a budget issue. If you want to base it strictly on a budget, then you could say it should be three times the size of it, the number of Cabinet ministers, because look at what's in Ontario and the size of Cabinet and the size of budget. It's not a budget area issue. It's a question of having good management. The Premier recognized that back in 1995 when he said that a Cabinet only needs to be 15. We're currently at 17. That's one point.

The second point is that the Premier needs to fill the major holes that it has within that Cabinet, Mr. Speaker, whether it's individuals from our immigrant community in which he can tap into that were duly elected and which he's failed to do that in the past, or some would argue even from Brandon or in that southern part of the province. It's important that the Premier has a Cabinet that better reflects the demographics. If you have the opportunity to do so, the Premier should be doing it, and he has not been doing that.

Over the next little while, my intentions are to apply more pressure on the Premier to acknowledge his minorities within his caucus, Mr. Speaker. I will

continue to do so and will do so until this Premier has rectified what I believe is an injustice to the Filipino and East Indian community. I look forward to seeing that Cabinet being overhauled where we will have a better, more reflective Cabinet of our population and the needs, based on the caucus that's there.

An Honourable Member: Go, girl.

Mr. Lamoureux: I don't quite understand the "go, girl" comment that the Member for Brandon is talking about. If he's trying to be sexist or whatever his point is, I don't know, Mr. Speaker, but I do believe it is disrespectful, either way.

Mr. Speaker, thank you for the opportunity to be able to speak.

* (14:40)

ORDERS OF THE DAY GOVERNMENT BUSINESS

Hon. Greg Selinger (Minister of Finance): Yes, Mr. Speaker, I'd like to, with your permission, call the following bills in the order that I state: Bill 12, The Securities Transfer Act; Bill 3, The Highway Traffic Amendment Act; Bill 4, The Provincial Court Amendment Act (Family Mediators and Evaluators); Bill 5, The Witness Security Act; and also Bill 7, The Child and Family Services Amendment Act.

Mr. Speaker, if, with your permission and with discussion with the Opposition House Leader (Mr. Hawranik), Bill 7, we would like to be third in the order of the list I gave you.

Mr. Speaker: Okay. We'll call the bills in order of second reading of Bill 12 first, and then, once that's completed, we will move on to bills in this order: Bills 3, 7, 4, and then 5 if there is time.

SECOND READINGS

Bill 12—The Securities Transfer Act

Hon. Greg Selinger (Minister of Finance): Mr. Speaker, I move, seconded by the Minister of Education (Mr. Bjornson), that Bill 12, The Securities Transfer Act; Loi sur le transfert des valeurs mobilières, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Selinger: Mr. Speaker, this bill establishes a comprehensive system of rules for the transfer of investment securities that reflect current international

commercial practices. It provides for the rights and obligations of issuers, purchasers, transferors, transferees, and other persons with respect to directly held and indirectly held securities.

Mr. Speaker, uniformity in matters involving a transfer of securities is highly desirable. It reduces transaction costs and increased legal certainty in these areas. Legislation substantially the same as this bill has already been enacted in British Columbia, Alberta, Saskatchewan, Ontario and Newfoundland and Labrador.

This bill is also substantially uniform with the securities transfer laws of the United States and will therefore help facilitate cross-border transactions more efficiently.

Mr. Speaker, securities transfer laws in Manitoba are currently found in The Corporations Act. They assume that when securities are transferred from one owner to another a physical certificate is issued in the new owner's name. Today a certificate is only issued in very few circumstances. The cumbersome and slow process of moving pieces of paper around has been replaced with a system that creates an electronic record of securities' ownership.

Manitoba needs a new law that expressly recognizes ownership rights and how they can be transferred, secured and seized, and this bill does that. This bill also contains the consequential amendments that are required to be made pursuant to The Personal Property Security Act, The Corporations Act, The Court of Queen's Bench Act and The Executions Act to fully address the legal issues that arise when securities are held indirectly.

Mr. Speaker, I'm pleased to recommend this bill for consideration by this House.

Mr. Peter Dyck (Pembina): Mr. Speaker, I move, seconded by the honourable Member for Turtle Mountain (Mr. Cullen), that debate be adjourned.

Motion agreed to.

DEBATE ON SECOND READINGS

Bill 3—The Highway Traffic Amendment Act

Mr. Speaker: Okay, we'll move on to resume debate on second reading of Bill 3, The Highway Traffic Amendment Act, standing in the name of the honourable Member for Portage la Prairie, who has 21 minutes remaining.

Mr. David Faurshou (Portage la Prairie): Mr. Speaker, I do appreciate the opportunity once again

to continue in debate of Bill 3, The Highway Traffic Amendment Act in second reading.

Mr. Speaker, one thing in regard to the laws as they pertain to our roadways here in the province of Manitoba is the slow process in which the wheels of justice move. I will speak from a particular experience from a family member who thought that they were unjustly charged with a speeding ticket here in Manitoba and asked for their opportunity, as everyone has, for their day in court.

It was more than six months later that this family member had that opportunity. I want to look at all members of the Legislative Assembly and ask the question as to whether or not this six-month delay is in fact in keeping with a speedy resolution of charges laid under our Manitoba law. I would ask any individual to reply that this is a period of time which is acceptable. Everyone that I've spoken with, six months is not an acceptable length of time.

Ms. Marilyn Brick, Acting Speaker, in the Chair.

It should be, at most, half of that time period because we have learned through the course of justice in our court systems, that if the charges that are laid by our police forces are dealt with in the court within three months there are significant increased numbers of guilty pleas because if one can recognize that they're only going to be waiting perhaps three months, that perhaps they might just plead guilty to the charge and get it over and done with. Then one, the case of The Highway Traffic Act, continues to drive on the roadways of Manitoba, the driving privileges are not given up, but if someone is looking to lose their driver's licence, perhaps they know that they're going to be dealt with in three months or less, chances are that individual's going to plead guilty and get the time clock running as soon as possible.

I will say that if your particular time to resolve a Highway Traffic Act offence, you're waiting six months or even longer in other areas of the province, perhaps, just perhaps, we might as well wait that length of time and maybe something will take place that the Crown attorney will think it too expensive to proceed. I'll give you an example of that is that if a police officer that issued the traffic offence notice is reassigned out of province, the cost to the Crown for bringing that police officer back for a court case is significant and therefore a Crown attorney has to evaluate as to whether or not perhaps a couple-hundred-dollar fine is worth \$500,000 or even more than that to bring a police officer back to

testify at a trial court that involves a Highway Traffic Act offence.

So the incentive in our court system, as with the length of delays that are currently being experienced, makes it for opportunity that this might occur. Madam Acting Speaker, I, for one, and I'm sure many others in the public as well as in this Chamber, want to see a more speedy resolution to charges, then ultimately conviction or acquittal in regard to the laws that are passed by this Assembly.

I want to then stress to the honourable Minister of Justice if he would, within his department, ask the question as to whether or not the time period between the laying of charges and the opportunity to resolve those charges in court are greater than three months, that he look to improving, with additional resources, whether it be on the bench or in our Crown attorney's offices or within the administrative support for both those entities, because right now our justice system is failing Manitobans, not only those that have been charged, but those who have been victims of crime in our province. I'm looking to the Minister of Justice to answer that question by asking of his department personnel to find out—and it will vary between locations in the province—as to how long persons are having to wait to see their day in court to resolve their issues.

* (14:50)

Madam Acting Speaker, I would like to continue on and say that, if we on this side of the House have the opportunity to form government when next the election is held, this issue will be dealt with. As well, in fact, we are seeing less and less police force deployment on our roadways here in the province of Manitoba because of the significant level of crime in our province, and the priority of crime as it pertains to our police forces must start, as currently adopted, with domestic violence. Police forces must attend to a domestic violence situation immediately, and even if they see highway traffic infractions occurring on their way to that call, they must continue to the domestic violence call, first and foremost.

We on this side of the House believe that we should have a police force dedicated to the enforcement of our highway traffic laws here in the province of Manitoba, and that is why in our election campaign we made the announcement that we were going to add significant additional policing to the roadways of Manitoba. I, for one, am very, very supportive of that position, and I don't know why the government would not see the merit in doing so. If

we have the police personnel on the roadways of Manitoba, then we would not only be able to enforce our Manitoba highway traffic laws, but we would also have the opportunity to pick up individuals that have been responsible for other criminal activity in our province, because sooner or later every criminal has to hit the activity to which he or she has been engaged to, ends up on the road. They are coming and going from the scene of the crime, and that involves a road. If we've got police officers out on the roadways, then we will have that opportunity to apprehend those individuals and to deal with them as the public wants them dealt with.

Now, Madam Acting Speaker, I know my time is short, and this bill is one that I do support, as I mentioned in yesterday's debate. I look forward to seeing this bill go to committee, and the public have their chance to put their thoughts regarding Bill 3 which deals with changes that the federal government made in the Criminal Code and providing definition for street-racing offences.

Ms. Bonnie Korzeniowski, Deputy Speaker, in the Chair

So, having said that, Madam Deputy Speaker, thank you for the opportunity once again to participate this day in second reading debate for Bill 3.

Mr. Doug Martindale (Burrows): Madam Deputy Speaker, I rise to speak on Bill 3, The Highway Traffic Amendment Act.

Under provisions of The Highway Traffic Act, a person who is convicted of certain offences can have his or her vehicle forfeited or driver's licence automatically suspended. This bill makes those provisions apply in the case of street-racing offences recently added to the Criminal Code.

The changes to The Highway Traffic Act will help ensure that the reckless and dangerous crime of street racing becomes the target of meaningful provincial sanctions to help keep our roads and families safer. I know that there have been incidents of street racing that have led to tragic deaths in Winnipeg and that this is a substantial problem in cities like Toronto and Vancouver, having read about the tragedies that have happened in those cities as well. We have national legislation, we have the Criminal Code amendments, and now we are following suit with provincial amendments.

Bill 3 is about making sure that Manitoba's driver's licence suspension and vehicle forfeiture

laws apply to the new Criminal Code street-racing laws. Under section 2 of the Criminal Code, street racing is defined as operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway, or other public place. Street racing is an inherently dangerous activity that poses a threat to the safety of not only the participants but also to innocent pedestrians and bystanders who can be killed or seriously injured as a result of this activity.

From 2002 to 2006, there was an average of 20 street-racing convictions in Manitoba under The Highway Traffic Act per year. However, it is difficult to gauge the scope of the problem as not all street-racing incidents may be detected or reported to the police. Street racing is very dangerous behaviour, so, regardless of numbers, we believe it is a serious matter.

What is our government doing about street racing? Under The Highway Traffic Act, persons who engage in street racing may be charged with a provincial offence under section 189 of the act and will have their vehicle impounded for 48 hours. If convicted under The Highway Traffic Act for street racing, there is a fine of up to \$5,000 and possibly a court-imposed driver's licence suspension of up to one year.

If the street-racing activity involves a death, there is no set maximum fine under The Highway Traffic Act and the driver can face up to two years in jail and a court-imposed driver's licence suspension of up to five years. It is anticipated that police would lay provincial offence charges under The Highway Traffic Act for street-racing incidents where the evidence would not support the laying of the more serious Criminal Code street-racing charges.

The Government of Canada implemented five new Criminal Code street-racing offences on December 14, 2006, namely: dangerous operation of a motor vehicle while street racing; dangerous operation of a motor vehicle causing bodily harm while street racing; dangerous operation of a motor vehicle causing death while street racing; criminal negligence causing bodily harm while street racing; and criminal negligence causing death while street racing.

The government of Manitoba is amending the vehicle forfeiture and automatic administrative driver's licence provisions of The Highway Traffic Act to ensure that they will apply to these new street-racing provisions. Without these amendments to The Highway Traffic Act, persons who are

convicted of the new Criminal Code street-racing offence would escape liability for a vehicle forfeiture and the automatic administrative driver's licence suspensions under The Highway Traffic Act. Vehicles can already be forfeited for other serious offences, including dangerous driving causing bodily harm or death, and in cases involving serious repeat offenders.

The proposed legislation would also extend Manitoba's automatic driver's licence suspension sanctions to ensure that people convicted of criminal street-racing offences will face suspensions ranging from one year to a possible lifetime suspension. This amendment act makes the consequences for street-racing convictions consistent with how other serious driving offences and serious offenders are currently dealt with under The Highway Traffic Act. The amendment act will be enforced as soon as the bill receives Royal Assent.

What about vehicle forfeiture in Manitoba? What does the law say? In 2002, Manitoba was the first province in Canada to introduce vehicle forfeiture as a sanction for persons convicted of Criminal Code driving offences. Manitoba has a practical and efficient vehicle forfeiture scheme that flows from a single hearing, for example, upon conviction for a charge under the Criminal Code. Persons who are charged with a very serious Criminal Code driving offence, such as impaired driving causing bodily harm or death, will have the vehicle that was driven during the offence forfeited to the government of Manitoba if they are convicted of the offence. In addition, persons who are convicted of three or more Criminal Code driving offences within five years, are also liable to have the vehicle that they are driving at the time of the most recent offence forfeited to the Manitoba government upon conviction.

I think the reasons for these provisions are to have a deterrent effect. If people understand that the penalty is to forfeit your vehicle, especially if you have a hot, souped-up car, you're not going to want to lose your vehicle, so you might think twice before street racing.

When police determine that there is liability to a vehicle forfeiture, a lien is placed against the vehicle. The vehicle owner is prohibited from disposing of the vehicle before there is a decision on the charges that give rise to liability to a forfeiture, the vehicle owner must turn in the vehicle for forfeiture if the charges result in a conviction.

The list of Criminal Code driving offences that give rise to liability to vehicle forfeiture is being expanded to include the new Criminal Code street-racing offences that have been added to the Criminal Code by the Government of Canada.

* (15:00)

What about driver's licence suspensions in Manitoba? What does the law say? For very serious Criminal Code driving offences such as impaired driving causing death or impaired driving causing bodily harm, persons who are convicted of those offences will receive a driver's licence suspension under The Highway Traffic Act of five years for a first conviction, 10 years for a second conviction, or a lifetime suspension for three or more convictions within 10 years. For most other Criminal Code driving offences, the driver's licence suspension upon conviction will be one year for a first conviction, five years for a second conviction, 10 years for a third conviction, and a lifetime suspension for four more convictions within 10 years.

So, once again, we see that the penalties are very severe, but we know that the consequences of street racing can be very severe and tragic as well. So, once again, I would suggest that the penalties are a deterrent so that people don't take part in street racing in the first place.

Thank you, Madam Deputy Speaker.

Mr. Jim Maloway (Elmwood): Madam Deputy Speaker, I'm very pleased to follow the Member for Burrows on this important bill and also very pleased that the Member for Portage la Prairie (Mr. Faurichou) has indicated support for the bill. On that basis, I think it's possible that we will have 100 percent support in the Legislature for this initiative. Street racing is a serious problem in our society and people are dying as a result of it. It's certainly time that governments across the country take decisive action to try to prevent this from occurring.

Madam Deputy Speaker, under the provisions of The Highway Traffic Act, a person who's convicted of certain offences can have his or her vehicle forfeited or driver's licence automatically suspended. This bill makes those provisions apply in the case of street-racing offences recently added to the Criminal Code. The changes to The Highway Traffic Act will ensure that the reckless and dangerous crime of street racing becomes a target of meaningful provincial sanctions to keep our roads and families safer. We

are seeing, over the last few years, more—20 years ago, I don't recall, you know, any, or very few, if any, cases such as this and now it's just seemingly a constant occurrence.

Bill 3 is about making sure that Manitoba driver's licence suspension vehicle forfeiture laws apply to the new federal Criminal Code street-racing laws. Under section 2 of the Criminal Code, street racing is defined as operating a motor vehicle in a race with at least one other motor vehicle on a street, road, highway or other public place. Street racing is an extremely dangerous activity that poses a threat to the safety of not only the participants but also to innocent pedestrians and bystanders who can be killed or seriously injured as a result of this activity.

I mean, all the people have to do who want to engage in this activity is simply go to a racetrack. If they want to race cars on a racetrack, then certainly this option is open for them to do that. They should not be doing that on public roads.

From 2002 to 2006, there was an average of 20 street-racing convictions in Manitoba under The Highway Traffic Act per year. However, it's difficult to gauge the scope of the problem as not all street-racing incidents may be detected or reported to the police. Street racing is very dangerous behaviour, so regardless of the numbers, we believe it is a serious matter.

Now, in terms of provincial action on street racing under The Highway Traffic Act, persons who engage in street racing may be charged with a provincial offence under section 189 of the act and will have their vehicle impounded for 48 hours. Now, you would think that that would be a reasonable deterrent in itself. If convicted under The Highway Traffic Act for street racing, there's a fine of up to \$5,000 and possibly a court-imposed driver's licence suspension of up to one year.

If the street-racing activity involves a death, there's no set maximum fine under The Highway Traffic Act and the driver can face up to two years in jail and a court-imposed driver licence suspension for up to five years. So, Madam Deputy Speaker, you can see that these are very serious repercussions for people who engage in this kind of activity.

It is anticipated that police would lay provincial offence charges under The Highway Traffic Act for street-racing incidents where the evidence would not support the laying of more serious Criminal Code street-racing charges.

The Government of Canada implemented five new Criminal Code street-racing offences on December 14, 2006: No. 1, dangerous operation of a motor vehicle while street racing; No. 2, dangerous operation of a motor vehicle causing bodily harm while street racing; No. 3, dangerous operation of a motor vehicle causing death while street racing; No. 4, criminal negligence causing bodily harm while street racing; and finally, criminal negligence causing death while street racing.

The government of Manitoba is amending the vehicle forfeiture and automatic administrative driver's licence provisions of The Highway Traffic Act to ensure that they will apply to these new street-racing provisions. Without these amendments, The Highway Traffic Act, persons who are convicted of the new Criminal Code street-racing offences would escape liability for vehicle forfeiture and automatic administrative driver's licence suspensions under The Highway Traffic Act.

Vehicles can already be forfeited for other serious offences including dangerous driving causing bodily harm or death and in cases involving serious repeat offenders. The proposed legislation would also extend Manitoba's automatic driver's licence suspension sanctions to ensure that people convicted of criminal street-racing offences will face suspensions ranging from one year to a possible lifetime suspension.

This amendment act makes the consequences for street-racing convictions consistent with how other serious driving offences and serious offenders are currently dealt with under The Highway Traffic Act. The amendment act will be in force as soon as the bill receives Royal Assent.

In terms of vehicle forfeiture in Manitoba, in 2002, Manitoba was the first province in Canada to introduce vehicle forfeiture as a sanction for persons convicted of Criminal Code driving offences. You know, we have the opposition making constant references to the fact that we're not tough enough on crime and we're not showing enough interest in the issue, and here Manitoba was the very first province, and it was 2002. It wasn't when the Conservatives were in power for those 11 years that any of this was done. It was done under our terms.

In fact, we have a federal bill before the federal House right now where Minister Nicholson is proposing that auto theft be treated as a property crime, when our Justice Minister has been in Ottawa recently requesting that auto theft be considered a

criminal offence. In this case, we are taking a stronger position on this particular issue than the federal government is. Yet the Conservatives are running around saying that we're not tough on crime. In fact, we're being tougher than their federal minister is.

I'm being reminded by the minister of highways that the Hells Angels arrived in Manitoba when the Conservatives were in power last in those 11 years. But they try to rewrite history and try to convince people that that was not the case when, in fact, we know that it was.

Now, Madam Deputy Speaker, Manitoba has a practical and efficient vehicle forfeiture scheme that flows from a single hearing. For example, upon conviction for a charge under the Criminal Code, persons who are charged with a very serious Criminal Code driving offence, such as impaired driving causing bodily harm or death, will have the vehicle that was driven during the offence forfeited to the government of Manitoba if they're convicted of the offence.

In addition, Madam Deputy Speaker, persons who are convicted of three or more Criminal Code driving offences within five years are also liable to have the vehicle that they were driving at the time of the most recent offence forfeited to the Manitoba government upon conviction.

So you can see that these are real deterrents to this activity. When people determine that there is a liability to vehicle forfeiture, a lien is placed against the vehicle, the vehicle owner is prohibited from disposing of the vehicle before there's a decision on the charges that gave rise to the liability to forfeiture and the vehicle owner must turn in the vehicle for forfeiture if the charges result in a conviction.

The list of Criminal Code driving offences that give rise to liability to vehicle forfeiture is being expanded to include the new Criminal Code street-racing offences that have been added under the Criminal Code by the Government of Canada.

Madam Deputy Speaker, in terms of driver's licence suspensions in Manitoba for very serious Criminal Code offences such as impaired driving causing death or impaired driving causing bodily harm, persons who are convicted of those offences will receive a driver's licence suspension under The Highway Traffic Act of five years for a first conviction, 10 years for a second conviction, or a lifetime suspension for three or more convictions

within 10 years. For most other Criminal Code driving offences, the driver's licence suspension upon conviction will be one year for a first conviction, five years for a second, 10 years for a third conviction, and a lifetime suspension for four more convictions within 10 years.

So, Madam Deputy Speaker, I want to close at this point and indicate full support for this bill.

*(15:10)

Mr. Ralph Eichler (Lakeside): Madam Deputy Speaker, I wanted to talk about Bill 3 just somewhat in regard to The Highway Traffic Amendment Act that's being proposed. I know the street racing that has taken part, mainly in the city of Winnipeg, but it does have somewhat of an overlapping area within rural Manitoba. I know Lakeside doesn't have the benefit of having as many paved roads as some of the constituencies around the province and especially in the city of Winnipeg, but we're certainly working on trying to get more paved roads in our area.

We know that they're a bit rough in our area. In fact some of the oxcart trails are still there that were brought back in the early generations. But we are trying to, in fact when you get up into the Interlake constituency, I know they've got a real nice road up there. I believe it's Highway 68 that has become an RTAC road that they built over to—I don't really know where they were going or where they were starting, but it is a nice road.

I know the Member for Gimli (Mr. Bjornson) just recently upgraded a road there—I believe it was Highway 8 that got upgraded—but we are hoping that one day the people of Lakeside will be rewarded and see some of those dollars that they talk about sharing so much around the province. But I know the Minister of Infrastructure (Mr. Lemieux) is definitely going to make a commitment one day to the people of Lakeside.

Madam Deputy Speaker, I know we have one road in particular that he's definitely interested in and that's Highway 227. I know I've talked to my federal counterparts with regard to Highway 227 and making that Highway 16A as an alternate route. This was actually started back in the 1980s. The right of way was bought and the Pawley government got in and actually built a bridge; kind of like Highway 68, it was a highway to nowhere. The Pawley bridge was kind of highway to nowhere with the bridge that they built. So we're certainly hoping one day that we can

see that this bridge and the rest of the connecting route 227 would become 16A.

In fact, go through the community of Selkirk, Stonewall, Warren, Marquette and over through Beausejour as well, and use that bridge to what it was actually intended for. That was going back, as I said, back to the early 1980s.

But, when you look at Bill 3, the roads are a very important part of that bill. We do have to make sure that safety is the foremost important issue when we talk about street racing. I know that the members on this side of the House take this issue very seriously. I know there was a death just in the last couple of years in regard to street racing. I know that as I was growing up as a teenager, most of us were lucky enough to even have a car, never mind worrying about street racing. But the technology that's out there, and we know that the speed that what these vehicles can attain in a very short time—

An Honourable Member: Didn't you have a horse?

Mr. Eichler: That's a very good point. I know the members opposite make fun of my farm background, and, yes, I did ride my horse to school. I actually did race my horse and I actually did win a few races. The biggest thing in almost everything that you do, you have to make sure you can get out of the gate. So, with regard to horse racing, I know that once you get out of the gate, you kind of had to make sure you had your head down.

But the problem that I had in those days is not like now—

An Honourable Member: Aren't you a qualified jockey?

Mr. Eichler: Well, no, I'm not really—no, not a jockey, but I did have a weight problem as a teenager and of course I had to switch horses. So I went from a little Shetland pony to a quarter horse, and then I had to go to a thoroughbred. Anyway, that really bothered me having to ride a thoroughbred, but I love thoroughbreds to watch and be entertained. But I certainly didn't have the agility to get into the thoroughbred racing.

An Honourable Member: The horse got there but—

Mr. Eichler: The horse got there. Yes, that's right, and the horse did very, very well.

But back to Bill 3, Madam Deputy Speaker—
[interjection]

No, we're not going to go about the oxcart because that was actually part of my grandfather's heritage that I'm very proud of, and they definitely had the wagons. In fact, I will talk about that just for a very short moment because one of my uncles, I'm very proud of the fact that he did take a covered wagon. He went from Salt Lake City, Utah, to Alaska in a wagon, and he certainly didn't get any street racing done there. But he certainly did get passed by a lot of street racers and didn't show the respect that they needed. In fact, in that very respect, we've had a number of Amish people that have now moved into Manitoba over in the Ste. Rose area. We're seeing the Amish come back actually, with their carts and their horses, and certainly you need to make sure that those people are protected as well.

Back to the Sunday night cruise that's kind of referred to and brought the bill forward as far as changes to The Highway Traffic Act, and they certainly need to be curtailed. We support this bill as far as the content is brought forward. I know that the races have been taking part on the streets and, certainly, the thing that concerns me the most is about the enforceability of it. We can enforce the offence, but we have to make sure that, once it gets into the court system, it's handled in a very timely and efficient manner. We need to make sure that we on this side of the House during the election put forward that the resources would be there. In fact, I'll find it for you here. We had committed to increase the number of Crown prosecutors by 25 and 20 support staff to help ease the burden on our Prosecutions branch. We're also committed to increasing court costs, court budget, by 25 percent over the next two years.

Whenever we're dealing with an offence like this, no matter what the reason, I think it's very important that any time we look at an offence within the province of Manitoba, it should be done in a very timely manner. I know that we have asked, time again, and I know that our Justice critics over the past number of months and years, that we have been trying to hold the government accountable in regard to turnaround time on these offences. We want to make sure that, in fact, many of these crimes that are committed have to be handled in a very timely manner. We have to ensure, especially with the youth, that they learn very quickly from their offence which they're being handed down through the law. I know that the youth have to take responsibility for their actions, and if we don't do that in a timely manner, then it's certainly going to have a lasting

effect on their resources as far as seizing their car or also suffering the consequences which they need to realize as well.

When we look at the fact about the changes to the legislation itself, we have to also look at the— that the federal government brought forward, while Minister Vic Toews, the Justice Minister, that made changes back in December of '06 is when it received Royal Assent, and we certainly applaud the federal government for taking the action to take the leadership role with respect to making the necessary changes so that the Province, in fact, can do their part.

We know that there's other legislation that needs to come down, and we certainly are in favour of tougher crime. We want to make sure that the consequences also serve the crime and that they're justified in a way that they can make sense with respect to that crime and also done in a very timely manner as well.

So, Madam Deputy Speaker, I know that this amendment needs to move forward. We look forward to the spring session when we can get back into the House and talk about the other legislation that's being brought forward. We certainly know that there are other bills going to be brought forward, and I know it's close to the end of the fall session. We know and realize that there're a number of issues that are outstanding. We're going to ensure that the government brings this legislation forward on all issues, and there is a number of—*[interjection]* That's right, as the colleagues remind me of, there are a number of issues that we have to deal with, and we have to make sure that the government does, in fact, bring these forward. We have a number of initiatives we'll be bringing forward in the next session.

With that, Madam Deputy Speaker, we'll let some of the other members talk in regard to the changes to The Highway Traffic Amendment Act, in regard to Bill 3.

* (15:20)

Mr. Peter Dyck (Pembina): I do want to thank the Member for Lakeside (Mr. Eichler) for his very timely comments that he just put on the record and for allowing us to take a brief look into some of his history and the horseback riding that he did back in his youth. *[interjection]* That would've been just a few years ago, I am assured. So, lest anyone would think that that was decades ago, that would have been just a few years ago.

But I, too, want to put a few comments regarding Bill 3, The Highway Traffic Amendment Act, on the record. This bill extends certain provisions of The Highway Traffic Act to include convictions for offences related to street racing that have recently been added to the Criminal Code. Under this bill, a person who is convicted of street-racing offences could have their vehicles forfeited or driver's licence automatically suspended.

Madam Deputy Speaker, on that, I just want to indicate that when I did receive the bill on the Order Paper and then, of course, the bill was handed out and we had an opportunity to go through the contents of it, first of all, it was somewhat brief, but I think as most of the MLAs would do here, they reflect back on the areas that they represent and how this, in fact, would impact their constituency and the people out there. Now, I know that the information is also—that we know this from listening to the news and reading the newspapers, that there have been deaths that have been associated with street racing. Of course, this is very unfortunate, tragic, that these kinds of things would happen.

On the other hand, as I said, though, we reflect back to the areas that we represent and that leads me to look at the roads that I have within my area. I'm somewhat thinking of the show that was out there, *Dukes of Hazzard*. There are a number of the roads that we have within our constituency that if you would get to any fairly fast speeds, in fact you would be airborne and we're not sure exactly where you would land. Either that, or I guess the other one would be that if you would have excessive speed, that with all the potholes that we have out there, the next thing that would happen is you would break the suspension on your vehicle.

So, as I say, as we reflect back on the constituencies that we represent and the highways that we have within our area and the neglect that has been shown in the southern part of the province to the highways, there are very few roads that I could think of automatically where this would become an issue within my area. So the Minister of Infrastructure (Mr. Lemieux) needs to look at this as well to make sure that, in fact, the roads that are out there, that are producing much of the commerce within the province, are in shape, where the vehicles can, in fact, bring their produce to market, as they should be able to.

But suffice it to say, Madam Deputy Speaker, it is a concern that there's abuse that is taking place,

and I want to applaud the Prime Minister, Stephen Harper, and the former Justice minister for bringing forward legislation to make street racing a Criminal Code offence and then, of course, to implement tougher offences related to street racing.

But, Madam Deputy Speaker, it also reminds me of some of the legislation that has been introduced by this Justice Minister and the previous Justice minister, and as we say and as several members have indicated over the past few days, it's very much like a catch-and-release program. In fact, it was mentioned yesterday by the Member for Carman (Mr. Pedersen) that it reminded him of fishing where you have these baitless hooks, so you catch and you release immediately. That's the Justice system that we see so often within this province where, in fact, the real justice that should be handed out to those who are violating the crimes should actually take place, but what we are doing is we are patting them or maybe slapping them slightly on their hands and saying, that's not very nice, allowing them to go, and they repeat the offences.

So, Madam Deputy Speaker, I am concerned not about this bill as much as I am concerned about the implementation of the legislation that is and has been brought forward by this government. We see them talking. There's a lot of talk on the legislation about how they, in fact, and the legislation they bring forward is going to be tough and very hard on crime and yet, we don't see the implementation of it. I think this is being taken advantage of by the people who are out there and watching the system. They're watching the system, as we know. I have had the opportunity to teach for a number of years and when you observe young people—and I think we ourselves would be able to relate to that and our previous years as well, where if there are no consequences for things that take place, you take advantage of it. That's what I see taking place here. Yes, we have legislation in place that would indicate that there are some consequences to the acts that have been committed, but on the other hand, it's simply words. There's a lot of rhetoric out there, and so, consequently, the final implementation of the legislation has not taken place in so many cases.

I think that people are becoming very sceptical of this government and the legislation that they have put forward, when in fact, as the Member for Brandon West (Mr. Borotsik) yesterday was saying we have an all-time high of crime within this province. We're known as the murder capital of

Canada. It's unfortunate to have that kind of a term designated or—

An Honourable Member: Dave Chomiak's.

Mr. Dyck: Well, the Member for Kildonan (Mr. Chomiak) would be known as the murder capital of—now that's probably incorrect—the minister for the murder capital of Canada.

So, Madam Deputy Speaker, we have concerns, and you know, I know that the City of Winnipeg is trying very hard to get rid of the blemish that they have on themselves as a city, as being a city where violence takes place. I know that other people within other countries, other areas, or other provinces within Canada look at this province and look at the violence that takes place out here and, in fact, are concerned about moving to the city or to this province. I know that the area that I represent, there are people who do not want to go to the city of Winnipeg for fear that their vehicles could be stolen, that there would be some other offence that would be committed. Again, as I indicated before, there are no consequences for many of the actions that take place and we need to be tougher on crime.

I also know, Madam Deputy Speaker, that during the election, we indicated that there were more Crown prosecutors that were needed to be able to fill the waiting lists that are out there. I need to give an example specific to this. I know someone who, in fact, was given a speeding ticket, was wanting to appeal it, but the short story of the two-year wait was that there was such a line-up of people waiting for the Crown prosecutors to in fact hear the case, that it took over two years for this case to be heard. I believe this is far, far too long.

Also, Crowns carry caseloads of up to 500 cases in Winnipeg and as high as 700 cases in rural Manitoba. There's just no way that the Crown prosecutors can, in any way, look at all of these cases and do justice to them. So it is unfortunate to hear that, to see that the offences within the province continues to rise. The previous member from the NDP, the Member for Elmwood (Mr. Maloway), indicated that it was under the Conservatives that the Hells Angels came into the province. That is incorrect. I need to correct that record. They came under the NDP. That's when they entered the province. They knew that they would be soft on crime, so they infiltrated this province as have many other gangs.

* (15:30)

So, again, as I've indicated time and time again, that when you're soft on crime, in fact, what you are doing is you are inviting it. When there are no consequences for actions that have been committed, you are looking for more of the same to take place. As I indicated with vehicles being broken in and stolen, this is a huge problem for the city of Winnipeg. I wish in some way that this could be resolved. On the other hand, there are the frequent violators of the same crime. They get a slap on the hand, they're let go, and there are no consequences to these actions. Something does need to be taken to resolve the issue. I know that there are ways that this could be done, but, again, we do not see our Justice Minister, the NDP government coming forward with legislation that in fact would impact and would give out those consequences of their actions to those criminals who are in fact violating the laws.

So, Madam Deputy Speaker, with those few words, I just want to indicate that I believe the bill is one that we can support. On the other hand, though, the scepticism that we have here is the implementation of this legislation and in fact how it really will be enacted throughout this province. Thank you very much.

Mrs. Mavis Taillieu (Morris): I'd like to also put a few words on the record in regard to Bill 3, The Highway Traffic Amendment Act, which includes convictions for offences related to street racing, Madam Deputy Speaker. I think that this bill speaks to the fact that we've had a number of incidents occur. One in particular that was fairly—well, it was catastrophic, and a woman was killed as the result of two street racers racing each other down Portage Avenue.

Certainly, we need to look at ways to help prevent these circumstances and these incidents from occurring. Now, what we see here, though the intent of the bill, I think, is good, to try and prevent two people from actually participating in a race that could result in some catastrophic circumstances.

However, we do see that the government has undertaken in past to look at other crimes under The Highway Traffic Amendment Act in which there are seizures and forfeitures of vehicles in regard to solicitation, prostitution and drinking and driving offences. But clearly what has happened in the experience that we've seen with this government is they bring into legislation laws and certainly laws are there to be—they're there to be incentives for people to uphold the law. I mean, they're deterrents; that is

the word I'm searching for. They're deterrents for people to not partake in these activities certainly. But, if there's nothing to penalize people when they do break the law, if they get away with it, so to speak, then it soon spreads that this is a law that really doesn't mean anything, and it's similar to having children in the house. When you have the laws and then they push it to the limit and they finally go over the line and they break the laws that you've laid down, if you don't act on those laws, if you don't enforce it, then they know that they can just go further the next time.

I think what we have to recognize is that, when we put laws in place, we have to be able to enforce those laws, and to enforce the laws we need—well, I think not only public awareness campaigns to begin with, but, to enforce the law when people do break the law, we need to have enough police officers on the street. They need to know clearly what the parameters of the law are. Then, once people are arrested for the offences, these need to be addressed very quickly in court. When we don't have enough police officers on the street and we don't have enough provincial court room and court judges, then this doesn't occur. When it doesn't occur, the government sends the message that they have only done lip service to this important issue. They bring forward a bill. They do the press release. They do the photo op if that's appropriate, and maybe they're going to re-announce it again, but in fact have we seen any results? Are we going to see results come from this?

When you look at the record that the NDP has, they did say that you could have your car forfeited, seized and sold, actually, if you were convicted of an offence around prostitution solicitation. But since that law was brought in, there's really only been one car seized and forfeited. So I'm certainly sure that there are more offences that have been occurring, but this just speaks to the fact that there's no teeth to the legislation if it's not enforced and if there are no consequences.

Having said that, I recognize that street racing is an issue. Certainly, I've seen some of that happen, not just inside of Winnipeg but outside of Winnipeg. Particularly where I live, there is a stretch of Roblin Boulevard from the Perimeter to the corner of the street where I used to live that was a two-kilometre stretch of long, straight highway right outside the jurisdiction of the city and that on Sunday nights became the desired area of racing for a period of time. The residents along there were extremely upset

with this activity going on. Police were called, of course. Police sent them away and it wouldn't be long before they were back doing the racing.

In fact, I sometimes think that there was an eye turned the other way because it was an activity that was very hard to control. They were doing it. The minute someone was there to tell them to go away, they went away, but they were back again. It turned out to be more of a citizen-policing issue than anything. But it is an issue, particularly when you see such tragic events as what happened with the lady that was killed in the accident on Portage Avenue.

I guess I'm a bit concerned for some of my acquaintances that are old-car enthusiasts who do sometimes want to go to the Pony Corral on Sunday night and show off their vehicles, not that they're street racing. There's no intent to street race, but I've actually got into the middle of something where we didn't even intend to be. We were downtown at an event on Sunday night and coming home down Portage Avenue and all of a sudden wondering what's going on here. We were surrounded by vintage vehicles on all sides, honking and travelling along Portage Avenue in a big, long parade. Then we realized, oh, it's Sunday night and they're leaving the place where they would normally meet beforehand. It was later at night. It was about 11:30 and we started to realize as we looked along the sides of the street, well, what are all these people doing out here? They're out here to watch what's going to happen. They're out here to see if a race is going to happen. We thought, how are we going to get out of this, because we do not want to be involved in the middle of this. Of course, there was a lot of other traffic as well. *[interjection]*

* (15:40)

Well, some members are asking me how fast does my car travel. I can tell you, not very fast. In fact, the Member for Lakeside (Mr. Eichler) the other day drove by me and said, what were you driving so slow for?

So, Madam Deputy Speaker, it was probably all the way from Portage and Main to Polo Park by the time we got out of this parade of vehicles that, actually, were not racing, but we felt that there was huge potential for that event to occur as there's a number of people. You know, they get caught up: this is my car and how fast it is, and my car is faster than your car, kind of thing. You can certainly see how, especially with younger people, how they can get quite caught up in the competition of the race at

proving whose car is faster than another. So we certainly could see that there was a potential for that to happen. It was not a good feeling thinking that there are safety issues here, and certainly we wanted to make our way outside of the city to our quiet little suburb of Headingley. We were fortunate that nothing occurred.

That being said, there have been some serious things that have occurred, and when people lose their lives because people are careless and reckless in their driving and they're doing it for sport and accidents like this do occur, certainly we need to look at what steps can be taken to mitigate this. So we will be supporting this bill.

We just want to also say, though, and point out the record of the NDP in that they have brought pieces of legislation like this previously and not enforced it. It's very funny, I think, just to look at some of the comments when the former minister of Justice was asked in June of last year how many vehicles had been forfeited and sold. There's a lengthy, lengthy reply which goes about as far around the issue as the hydro line will go around the west side of the province and all the way back again, and it was certainly a waste of energy in the amount of energy he took to answer the non-answered question. But, in the end, he said he didn't know, and he'd have to find out. But we know that basically it's very low because, as I say, they bring in legislation and then are unable to put the resources in to ensure that the legislation has some meaning and some teeth.

When you bring in legislation, you certainly should be able to provide the infrastructure around the legislation, not just a bill that says, okay, here's the bill, here's what we have to say, and this is what we've done, and aren't we good. It's much more than that. There needs to be consequences, Madam Deputy Speaker, and that those consequences fall as a result of people being arrested, cars being forfeited and proceeds do go into what they're intended.

So seizure of cars, forfeiture of the vehicle, if those things actually will happen, then that will send a message to street racers that they must not do that. Until that happens, they will always try to push the envelope and go a little bit further, just like young males, I guess, will often do that. I can say that from—*[interjection]* I'll say that as a mother speaking, of the mother of three young males who, as teenagers, had occasion to have a bit of a heavy foot at times. So I mean no disrespect to anybody that

considers himself a young male in this room, but I certainly recognize the levels of testosterone in teenage and young men that like to race cars and—*[interjection]*

You know, I have to say today in my driving experience, I have to say that sometimes I look across and the people speeding by me are young women. So they're competitive. I should maybe clarify my comments and say young competitive people that feel like they're competing against each other, and not just males and females. So I don't want to be stereotypical, but I was thinking more in terms of my own children, all being males, and when they were younger, and probably still but are outside of my purview so I'm unable to say for sure, but when they were at home they certainly had a tendency to have a bit of a heavy foot at times.

So, in any event, if this legislation will serve as a deterrent, if it will serve as a deterrent and make people think twice about going up, stopping at the light and looking over at the car next to them and saying, you know, do you want to go.

That's what I think this legislation is intended to do, and I think to make people think again, think twice about putting that heavy foot on that gas pedal and trying to get first off the line or trying to make it to whatever destination faster than the other person to prove some kind of point, that they can do something better or faster than someone else. I think there's probably better ways to make that point.

Certainly, when innocent bystanders get in the way of people that may—and I certainly would not think that anybody would participate in street racing with the intent of doing harm. I don't think that that would be the case, but things do happen. When things like this happen, you have to have some awareness, and you have to make sure that there are some deterrents in place so that people know that this is just not something that can be tolerated, and probably for their own good that when they don't do this because they can't or they're not allowed to.

As I say, Madam Deputy Speaker, we will support this bill, but we do hope that the entire infrastructure is in place to support the bill, that being the amount of police officers that are needed, which we have always been advocating for, and have access to the court system for timely consequences, because consequences that come too late are not the same as consequences that come swiftly.

So those are all the things that have to occur, and, as I said before, the NDP's record on this is not that great, because there have been declining seizures of cars and, you know, one forfeiture. So really the record is not good. We're hoping that we'll see some improvement there with some more police officers and court time.

With that, Madam Deputy Speaker, I will say that we would look forward to seeing what people have to say when this bill comes to committee, and I'll allow others of my colleagues to speak on this bill.

Mr. Cliff Cullen (Turtle Mountain): It's a pleasure for me to rise today to speak in regard to Bill 3. From previous comments I will recognize that we on this side of the House intend to support this particular piece of legislation.

There are a few caveats that I would like to put on the record today, though, so that the government does take notice of some of the issues that we think are relevant to this piece of legislation that the government should be aware of and hopefully will take measures to make sure that it will indeed be helpful and be beneficial to Manitobans down the road.

* (15:50)

Again, just from the outset I wanted to say, Madam Deputy Speaker, that this is another NDP bill which is reactionary in nature. This issue has been brought forward over the last couple of years when the number of incidents of street racing seemed to be on the rise, specifically in the Winnipeg area, and when we encounter a loss of life, it certainly brings that whole thing home to Manitobans. That's really, I feel, the intent of this bill being brought forward by the NDP. Certainly, we recognize that it's an important issue. We think it certainly should be addressed—*[interjection]* I know that's got everyone's attention.

But the issue here is about having the resources to deal with the injustices that are being done. It's one thing to have the laws and legislation in place to say that street racing is illegal, but we have to have the resources in place to protect Manitobans and we have to have the police officers in place there, so that they have the ability, they have the resources to go out and actually apprehend those people that are involved in street racing. So that's really the second role that the government has to play here. Once this legislation is proclaimed, the government has to

ensure that the resources are in place so that the peace officers are out there and they actually have the ability to follow the law and convict the people that are actually involved in street racing.

Then the next component of that, Madam Deputy Speaker, is the Crown prosecutors. We know there's a tremendous backlog and a wait in our justice system in terms of the prosecution, so it's important that the resources are available so that these cases and all other Justice cases are actually handled in a fairly expeditious manner. That's something that we've seen lacking here in the last number of years. So it's important that the government recognize the fact that resources have to be put into place on the Justice side so that these issues can be dealt with in a fair manner.

We certainly want to recognize the role the federal government has taken, Prime Minister Stephen Harper and the former Justice minister Vic Toews bringing forward legislation to make street racing a Criminal Code offence. Also, I know that the federal government is certainly looking at many tougher penalties for offences related to street racing, and they're certainly looking at other criminal offences as well. I think Manitobans and most Canadians are looking forward to a government which deals with crime in a very serious manner. It's time that we all put our foot down on the issues around crime and really stand up and make sure that crime is an important issue and should be addressed by our governments. It's a role that governments should take very seriously. So we certainly look forward to the federal government bringing down further legislation which will strengthen the Criminal Code.

Madam Deputy Speaker, it's interesting to note that there actually is street racing going on in Manitoba with some of the road conditions we have throughout Manitoba. I know I would be hard pressed to find much street racing out in rural Manitoba because it really would impact people's safety quite dramatically. We look at the conditions of some of the roads out there and it's a very serious situation.

We know we just had the bridge on No. 2 highway repaired recently. Unfortunately, that wasn't a very good repair job. We have a number of complaints coming forward about that particular structure now that it has been repaired. There certainly appears to be a lot of work remaining in

that regard. So it really is a safety issue that we all deal with throughout Manitoba and particularly on our highways. So certainly the Minister of Infrastructure and Transportation (Mr. Lemieux) has an important role to play here in protecting the safety of all Manitobans.

I know we've had a fairly significant shift from I'd say my generation to the next generation in terms of the respect they have for driver's licences. There was a point, I think a lot of people in my generation, when we first got our licence, we didn't really appreciate the privilege we had when we acquired our driver's licence. In fact, that generation almost assumed it was a right to have a driver's licence, and I think with the changes that we had in the structure of driver licensing in Manitoba it's made our youth appreciate the opportunities they actually have now that they've acquired that driver's licence.

Our particular family just went through a situation. Our oldest son actually just received his driver's licence within the last week, so he's certainly excited about the opportunities that that will provide him. But I think he understands the rights, the privileges that come with that and I really acknowledge that there certainly has been a shift in that regard. That's, I think, as a result of some of the changes that have occurred in the system over the last few months—or the last few years, pardon me, in Manitoba.

I don't want to add too much more at this point in time, Madam Deputy Speaker, outside of we would hope that once this bill goes to committee, we hear what Manitobans have to say about it, the government will actually implement the legislation in a timely manner. We know in past history, and I reflect back on The Biofuels Act which was just recently amended, originally brought forward back in 2003, it was actually four years before we saw any significant results come out of that. So that's another caveat I wanted to place on this particular legislation.

We hope that the government will move forward in a fairly timely manner. Hopefully, it will protect Manitobans in the future.

So thank you very much for allowing me those few words on this particular piece of legislation.

Mrs. Leanne Rowat (Minnedosa): I move, seconded by the Member for Brandon West (Mr. Borotsik), that debate on Bill 3 be adjourned.

Motion agreed to.

**Bill 7—The Child and Family Services
Amendment Act (Child Pornography Reporting)**

Madam Deputy Speaker: We move on now to the proposed motion of the honourable Minister for Family Services and Housing (Mr. Mackintosh), Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting), standing under the Member for Ste. Rose (Mr. Briese)?

An Honourable Member: Yes.

Mr. Gerald Hawranik (Lac du Bonnet): I'd like to say a few words on behalf of the residents of the constituency of Lac du Bonnet on this bill, but you have to—

Madam Deputy Speaker: One moment.

Mr. Hawranik:—ask whether it remains standing first—

Madam Deputy Speaker: One moment.

An Honourable Member: Leave it standing in the name of—

Madam Deputy Speaker: You're standing in the name—

An Honourable Member: Remain standing in the name of—

Madam Deputy Speaker: —the Member for Ste. Rose?

An Honourable Member: Yes.

Madam Deputy Speaker: Okay.

Mr. Hawranik: Yes, thank you, Madam Deputy Speaker. I'd like to say a few words on behalf of the residents of the constituency of Lac du Bonnet of course with respect to Bill 7. I've made some comment with respect to the bill itself in terms of whether or not, first of all, the bill itself would in fact ever be used by this government.

We have examples, as we've seen in Bill 3, and in The Criminal Property Forfeiture Act, and in The Civil Remedies Against Organized Crime Act, Madam Deputy Speaker. We have a couple of clear-cut examples of legislation that has been proposed by this very minister, not in his capacity today as Child and Family Services Minister, but in his capacity as Minister of Justice a few years ago when this particular minister stood up in front of the Legislature and introduced The Criminal Property Forfeiture Act. What we found out is that there has

never been an application under that particular piece of legislation.

* (16:00)

That particular piece of legislation was touted by the then-minister of Justice who's now the minister of Child and Family Services. He touted it as groundbreaking legislation, legislation which would take on the gangs and criminal organizations in this province. What we found out a few years later was in fact that the legislation had never been used; never been an application under that particular piece of legislation, in spite of all the rhetoric, in spite of all of the press releases, and in spite of all the fluff that was spoken about with respect to that piece of legislation by the former minister of Justice, this Minister of Family Services and Housing (Mr. Mackintosh).

So I don't know that we have a great deal of confidence, Madam Deputy Speaker, that this particular piece of legislation will ever be used and will ever take on what he believes it to be to take on, and that's child pornography; whether in fact it will have the teeth that, if necessary, within legislation, to ensure that those people who are guilty of child pornography, whether or not they will in fact face criminal charges. So we don't have a lot of confidence, and that is not only on The Criminal Property Forfeiture Act, but also on The Civil Remedies Against Organized Crime Act. It's another example of legislation that was really never used by this government, and we have no guarantee that it will make a difference.

It's great to stand on a soapbox and huff and puff about legislation, but the reality is: Will it ever be used? I refer to a headline I noticed in the *Brandon Sun*. Even the headline read, Looking tough on child pornography. While I cannot condemn the Minister of Justice (Mr. Chomiak) or the Province for trying to crack down on child pornography, I really would be surprised if this law does much to actually stamp it out. The move seems to be more about optics than anything else, Madam Deputy Speaker, and we're concerned about that.

There are some difficulties, of course, with this particular piece of legislation. While we applaud the government for trying to stamp out child pornography, there are some difficulties that the minister obviously should be aware of, and that is with investigation and proof when it comes time to determining whether or not an individual is in fact guilty.

This legislation, of course, compels those who are aware of child pornography to report it to the authorities. But there is some difficulty in proving this particular piece of legislation. Once allegations will be made, Madam Deputy Speaker, there will be a reverse onus, I believe, for the computer owner to prove his innocence. Once someone makes an allegation, the allegation will be there, and then it's a matter of proof as to whether or not authorities, whether the police can actually prove it. But once the allegation is made and the charges laid, there seems to be a reverse onus on those who own computers. The focus will then turn onto the computer owner himself or herself.

Now there may be all kinds of extenuating circumstances why a computer owner would not be guilty, Madam Deputy Speaker. For instance, it could have been stolen at one point in time and recovered, and nobody would know in fact who put child pornography in that computer. It could have been purchased as a used computer, as an example. Anyone could have put child pornography on that computer. Or it even could have been someone other than the computer owner within their own home.

So it's a very difficult thing to prove in terms of a criminal offence, particularly when we're dealing with criminal law having to be proved beyond a reasonable doubt, and that's a very high standard to meet. So, while there are definitely some extreme challenges, some difficult challenges in terms of proof, in terms of trying to get a conviction, we're concerned about the fact that in the event that there is an allegation that perhaps some innocent people may be involved and may in fact have to prove their innocence as opposed to the Crown proving their guilt.

So there are some difficulties with the bill itself. I think, because of that, I believe that little, if anything, will become of the bill in terms of the numbers of convictions or even the number of charges. It'll be interesting to see a year from now, two years from now, once the bill is passed, whether or not this particular piece of legislation will be used, or whether it'll continue to gather dust, as happened in The Criminal Property Forfeiture Act and The Civil Remedies Against Organized Crime Act.

So the proof will be in the pudding in a year, perhaps two, as to whether or not this bill will have any effect whatsoever or whether it will continue to gather dust as a couple of other pieces of NDP legislation have, in fact, occurred.

So, with those few brief comments, Madam Deputy Speaker, I look forward to hearing others debate this bill. Thank you.

Madam Deputy Speaker: Just for clarity, is it the will of the House to have Bill 7 remain standing in the name of the Member for Ste. Rose (Mr. Briese)? *[Agreed]*

Mr. Jim Maloway (Elmwood): Madam Deputy Speaker, I am very pleased to speak to Bill 7 today, The Child and Family Services Amendment Act, which is essentially the required reporting of child pornography.

I just listened with some interest to the Member for Lac du Bonnet (Mr. Hawranik) and, quite frankly, I'm bewildered as to what to draw out of his speech, because, on the one hand, he says he supports the bill, but, then, he has a lot of negative comments to make about it. So I'm not clear yet whether he supports the bill or not. *[interjection]* I'm just not sure, but he says I have to wait and find out, so the mystery continues.

Point of Order

Madam Deputy Speaker: The honourable Member for Inkster, on a point of order?

Mr. Kevin Lamoureux (Inkster): Yes, Madam Deputy Speaker, on a point of order, I ask if—the question is, when you consider quorum, is there any obligation on a minister, any ministers at all, to be present in the first two rows of the Legislature?

Madam Deputy Speaker: The honourable member does not have a point of order.

The honourable Member for Inkster, on the same point of order?

Mr. Lamoureux: Madam Deputy Speaker, the question I asked was: Is there a requirement for the government to have any ministers in its first two rows in order to have a quorum? I understand it's 10.

Madam Deputy Speaker: Okay, I believe that the member understands that making reference to members being in the House is not in order.

Mr. Maloway: Thank you, Madam Deputy Speaker. Well, I'm glad that that point of order has been resolved and we can continue with—

Madam Deputy Speaker: Could I just clarify that that was not a point of order. Thank you.

* * *

Mr. Maloway: Thank you, Madam Deputy Speaker. I'm just glad that the question has been resolved, and I want to deal with Bill 7.

This bill, Madam Deputy Speaker, requires that child pornography be reported, sets out what actions are to be taken when such a report is made, and this is going to have a big effect on computer store employees and repair people in the computer business who are now going to be in a position where they're going to be required. I think a lot of them, in the past, actually have. I've read stories of previous instances of child pornography being discovered when people bring their computers in for repair, and the repair people have been dutiful in reporting these instances which have resulted in actions taken and convictions made. So this is just a requirement now that they actually have to do it in all cases.

* (16:10)

The proposed legislation amends The Child and Family Services Act to explicitly provide that a person who reasonably believes that a representation is or might be child pornography, including on-line material, books, photographs and other visual representations, shall promptly report the information. Cybertip.ca, a 24-hour hotline operated by the Canadian Centre for Child Protection and headquartered in Winnipeg, would receive reports and ensure appropriate law enforcement agencies are alerted. If any reports involve children or suspects from Manitoba, Child and Family Services agents would investigate to ensure children are protected from further abuse. This is certainly a very important provision.

The bill also sets out the following: child pornography would be defined the same as in the Criminal Code and would include on-line or printed representation and any advocating of criminal sexual activity with a child. Any informant's identity would be confidential, except as required in judicial proceedings or by consent. It would be illegal to retaliate against an informant. Police would have to report to an employer when an employee who has access to children in the workplace is charged with a related offence. Cybertip.ca would have to report annually to the Legislature on its actions under the bill, and penalties for violating the provisions of the act are a maximum fine of \$50,000 and imprisonment of not more than 24 months.

Madam Deputy Speaker, Manitoba is a national leader. This is the first legislation of its kind in

Canada, and Manitoba is recognized as a national leader in protecting children from sexual exploitation. We see on a constant basis that, in the area of legislation, Manitoba is the first in many, many areas in this country, and that's contrary to what the opposition continue to espouse as the government's record.

Other initiatives introduced to address the harm posed by child pornography include, No. 1, the Child Find Manitoba Cybertip.ca program, which identifies and alerts police to Web sites being used for the distribution of child pornography and the Integrated Child Exploitation Unit of the Winnipeg Police Service and RCMP, which investigates and takes action against child pornography on the Internet and related child exploitation. The province's pilot project, Cybertip.ca, designed to help prevent the on-line sexual exploitation of children, became the national tip line in May 2004. Cybertip.ca allows the public to report potentially illegal content and activities on the Internet such as child pornography and luring through an on-line reporting form and also a toll-free telephone line 1-866-658-9052. Cybertip.ca receives and analyzes the tips and refers leads to the appropriate law enforcement agencies as required. Cybertip.ca also provides victim support and referral services as well as educating and raising awareness to help Canadians keep themselves safe while using the Internet.

Since its launch, Cybertip.ca has received close to 25,000 reports from the public, resulting in 2,800 Web sites being shut down, at least 30 arrests and removal of a number of children from abusive environments.

In terms of protecting the children of Manitoba, children are our most important resource and the future of our society and investing in their safety and protection, their well-being is therefore of the utmost importance. In fact, crimes of sexual exploitation of children and youth, including acts relating to child pornography, are crimes of child abuse and must be stopped and prevented to the fullest extent possible.

We have the responsibility to protect these young victims and to employ every possible measure to deter the perpetrators. Presently, The Child and Family Services Act imposes an obligation to report instances when a child is or might be in need of protection. These reports are made to an agency or to a parent or a guardian of the child if appropriate. The act does not expressly apply to child pornography. Voluntary reports of on-line pornography can be

made to Cybertip.ca. However, children should not be responsible for reporting their own sexual abuse as they may be afraid or too intimidated to do so.

A study done in 2002 found that only 30 percent of children who disclose they have been sexually abused do so during childhood. Currently, Child Find Manitoba and the police must rely on their own investigations and voluntary tips from the public to try to identify sources of child pornography. Although the Internet is a key focus of anti-child pornography initiatives, there's also a need to identify child pornography that's not on the Internet but is contained in off-line computers or stored and distributed in other ways.

In terms of some further information on this bill, according to Cybertip.ca, Canada's tip line for reporting on-line child sexual exploitation, Cybertip.ca has received nearly 25,000 reports from the public, and over 90 percent relate to child pornography; 93 percent of confirmed child pornography reports are images of children under the age of eight; 38 percent of confirmed child pornography reports involve sex acts; 20 percent of confirmed child pornography reports involved a commercial aspect. Reports to Cybertip.ca have resulted in at least 30 arrests, including six Manitobans.

Madam Deputy Speaker, 92 percent of Canadians are concerned about child pornography being distributed on the Internet. Only 30 percent of children who disclose they have been sexually abused do so during childhood, and 96 percent of Canadians feel it's important to have a place to report child pornography on-line. On average, the United States' National Center for Missing & Exploited Children's CyberTipline receives 700 to 1,100 reports per week. The CyberTipline reviews 75,000 to 100,000 images, videos a week forwarded from U.S. law enforcement.

The highlights of Manitoba's action against child sexual exploitation include a successful national campaign to criminalize Internet luring, raise the legal age of consent to sexual activity, establish a national sex offender registry and tighten child pornography laws.

In addition, we've established the Cybertip.ca with Child Find Manitoba, federal and industry partners; developed a child victim courtroom and waiting rooms—among the first in North America; established a strong, new Child Victim Support Initiative, and swifter justice with specialized

prosecutors. We've removed the time limits for lawsuits of childhood sexual abuse in a trust relationship. We've established Canada's second AMBER Alert program and led national efforts for a co-ordinated Canadian initiative. We've instituted a high-risk offender protection and correction units. We've strengthened the community notification about high-risk predators by adding offences and creating Canada's second high-risk offender Web site. We've started Kids in the Know program of Child Find Manitoba, endorsed by school divisions in Manitoba; created Building Child-Safe Organizations, an initiative under development by the new child protection advisory council, and we passed Canada's first law to shut down properties where child exploitation takes place.

Madam Deputy Speaker, further, we've funded specialized outreach workers, shelter and foster beds for sexually exploited youth. We've helped fund awareness for strategies including Neighbourhood Solutions, Reality Check, Stopsexwithkids.ca, and finally, we've initiated training for formerly exploited women to become youth workers.

Thank you, Madam Deputy Speaker.

Mrs. Mavis Taillieu (Morris): I want to also speak to Bill 7, The Child and Family Services Amendment Act (Child Pornography Reporting), and just to address the comments from the Member for Elmwood (Mr. Maloway), who said he was bewildered that we would say that we support the bill and then we had negative comments. But I just want to clarify what the Member for Lac du Bonnet (Mr. Hawranik) was saying, and he was saying we support the intent of the bill. Any negative comments were regarding the NDP's record on enforcement of similar legislations, Madam Deputy Speaker.

But, certainly, as the member said, we support the intent of this bill because we recognize the terrible, the disgusting, the whole idea of child pornography is just totally foreign and totally disgusting. So anything that we can do to prevent the spread of this is certainly supported.

* (16:20)

However, we do have some things we would like to comment on, Madam Deputy Speaker. We first would note that this was actually something that was promised in the Throne Speech of 2006. So it doesn't seem to have been that much of a priority for this government, that they announced it over a year ago and now are getting around to announcing it again

and finally bringing some legislation. But, of course, we've seen this before when they make announcements that they're going to do something and then they don't do it. I think just the appointment of a privacy commissioner comes to top of mind right now when that was first promised in 1999, in 2003, last November, and this Throne Speech. Still nothing on the Order Paper, Notice Paper about that. So, you know, the record is there, that finally they get around to doing something, but it takes a very long time.

What this bill does is a requirement. A reporting entity must take action to protect a child by reporting the matter of child pornography, if it's detected, to a Child and Family Services agency or a law enforcement agency, and there are very strict penalties of two years in jail or fines up to \$50,000, Madam Deputy Speaker. The NDP say that this is the first legislation of its kind in Canada. When I hear those words, "the first legislation of its kind," that to me sends up some red flags as well because we heard that. The last time I recall really hearing that this is the first legislation of its kind it was in regard to the devolution of Child and Family Services, and we've all seen the chaos that the child welfare system has seen since they rushed into this particular legislation.

Having not heeded our advice from this side of the House to take it slow because there was no sort of road map to follow here on how to do this because it was the first of its kind, and it was touted as the first of its kind, the best of its kind, but we said, fine, but take it slow, take it easy, re-assess as you go along to make sure that the best interests and the safety and the protection of children would always be first and foremost. That concept of the safety of the children being first and foremost kind of got lost in this whole thing, Madam Deputy Speaker. Certainly, we cautioned against that, rushing ahead into that. We also wanted to have a look at this because this is the first legislation of its kind, so let's make sure, I think, when you're talking about the horrible thing called child pornography, that we get it right and we certainly have the best interests of children.

The penalty for failing to report child pornography will be the same as failing to report child abuse. But no one in Manitoba has ever been charged and convicted of failing to report child abuse. So my question is: What reasonable person would not report child abuse? There's no reason why somebody would not report child abuse. Perhaps

there are reasons why someone doesn't want to say that something has happened in their home. Perhaps there's fear of retaliation against a person. There are many circumstances, but certainly there haven't been any cases where people have been convicted of failing to report it because most people would report it, Madam Deputy Speaker.

It's then that it becomes unclear, I think, if someone doesn't report child abuse, how does one know that child abuse has taken place, and how does one know that the person knew it was taking place and didn't report it? Who's going to report the person that didn't report? So that makes it unclear and difficult to prosecute. Are we looking at legislation that has some teeth to it? Or are we looking again at legislation that simply says, we are going to prevent child pornography from spreading? It really sounds good, of course, but is it actually going to happen? Is it actually going to translate into people being convicted of not reporting child pornography? Because I believe there's no one that's been convicted of not reporting child abuse, and it'll be difficult to determine if somebody hasn't reported something.

Now, I know that it becomes even more nebulous when you talk about the Internet and technology because when you talk about that realm, that cyberspace realm of technology and the Internet, there are so many things in technology that can happen through technology that we haven't even wrapped our heads around totally. There are people that know how to do that, but that doesn't really translate into the mainstream and to average persons using technology and using computers. People that are very knowledgeable about technology and computers would tell you that anything that's ever been on a hard drive in a computer will always be there; you cannot erase it.

That brings into question, of course, the idea of a computer being serviced and someone finding something on that computer which they think may be child pornography. Now, is that computer the property of an individual, or is that a computer that belongs to a company and used by a number of individuals, or is that a computer that was stolen and now is being used by another individual, or one that's been reconditioned or refurbished and is now being used by another individual or another company? So there are all kinds of questions around the technology and the detection of the technology of these disgusting pornographic images that might be embedded in the computer's hard drive.

We know that young people today use the Internet. They use Facebook. They use all these kinds of sites prolifically. We've heard stories of young people actually exposing themselves on the Internet. They're being bullied to do this, I think, and they don't quite understand the implications of what can happen to these images.

Ms. Marilyn Brick, Acting Speaker, in the Chair

I think there's a lot of awareness that must be done with parents of children who can easily be tricked, I think, into visiting some sites that they don't intend to visit but may visit because it comes up when they click on a site. I think everybody in this House would know that, once you have clicked on a site on the Internet, it's a record in your computer. It is there. Then you take your computer in to be serviced and the technician who's looking says, oh, my goodness, look what we see here.

It can raise a lot of serious implications and rightfully so in many circumstances. If there are images on the computer that someone's detected, yes, I believe they should be reporting those to law enforcement agencies. I think law enforcement agencies are the correct place to be reported. That needs to be investigated. But I think we have to be cautious and know that there are—in every good law, I guess, there lies the law of unintended consequences. There will be consequences that arise that are not intended. That's what we should caution against here to make sure that the legislation is targeted at those people who download child pornography and view it and disseminate it to other people. Those are the people we need to target. Those are the people that need to be reported, absolutely.

* (16:30)

But, again, how do we enforce that? I ask the question, how does that get enforced, because, again, I say if someone's discovered this and if they don't report it, how does someone know they didn't report it? Is there someone looking over the shoulder of each technician to see what they're doing and seeing if they're reporting anything that they find? Does that onus then become on the business that does the repair and maintenance of computers? Is the onus then on the business to make sure that their employees report anything like this that they find? Well, perhaps it is. I don't know if that's specifically spelled out. But, again, it just makes it very nebulous in terms of how it's determined that something has taken place.

What I find particularly interesting is how this—I mean, Child and Family Services has been a department in chaos for so long now. There're so many opportunities to address things that are wrong in that department, and what we see is tinkering here and tinkering there, instead of looking at what do we do to protect all these 7,000-or-odd children that are in care of Child and Family Services. First, we have a process, a total process of upheaval within the system which basically allows Aboriginal and Métis peoples to have care and governance of their own children. No one's arguing that. What we're arguing is the process was flawed. The process was too quick and the process then fell apart. When it fell apart, cracks opened up and children fell into those cracks and children died. The NDP was warned that that could happen, and in fact we saw that that did happen.

Subsequent to that, we found a government that was reluctant to call investigations and call a public inquiry into the death of one little girl named Phoenix Sinclair. They were reluctant to come forward with a call for accounting of all the children in care, but, fortunately, the authorities came forward and said, yes, we need to do this. The government and the minister of the day didn't feel the need to do that. Fortunately, the authorities did do that and did go through that process.

We saw numerous reviews undertaken by the Children's Advocate and the Ombudsman, as well as an Auditor General's report looking at the inadequacies in the child welfare system prior to and post-devolution, Madam Acting Speaker. From that, there came over 200 recommendations of what needed to be improved in the system. There's so much opportunity to go and look at those recommendations and improve this system, and this government, this is all that we get is a law to look at child pornography which, not saying it's bad; anything that prevents the spread of child pornography is good, but there's just so much more that this government needs to do. This is just scratching the surface, scratching the surface of what needs to be done in Child and Family Services.

We still have front-line workers struggling with the caseloads that they have. In fact, I was out at a social evening just last Thursday and I spoke to a child protection worker, a social worker. She actually told me that it was terrible, terrible what was happening right now. Her caseload was up to 58 at times. She said she just could not possibly manage that. The number of people that are burning out in

the system because they can't, they can't keep going with the caseloads that they have.

The NDP will say that they hired so many more front-line workers and they'll say we hired 70 or 72 new staff last year, but not all of these went to front-line service, Madam Acting Speaker. Some of these went into administration. But what happens is, it doesn't address the severe concerns of those working on the front line.

I think that when we look at the number of people that are coming in, it's great to have new social workers coming into the system, but you know, this profession of child protection and child welfare is a very difficult one. I have to applaud anybody that takes on that work because it's very difficult and very difficult, I guess, having to deal with and see some of the things that they see every day.

So, when people come into that with a small amount of training and no mentorship as they grow up and through the system, they, through no fault of their own, do not have the skills necessary in their beginning of their career to deal with the caseloads and deal with the severity of the cases that they see. When that happens, when there's no mentorship of bringing these people up through the system and helping them, then we see problems arise. We do know that those things have happened, and we certainly know that these people burn out often because they can't handle the things that they see in the child welfare system.

So, Madam Acting Speaker, there are a few other cautions I just want to—some other things that, as I talked about the things that could happen. I certainly know with technology that there are a number of things that can happen and certainly we need to be aware that there are all kinds of possibilities as well of people trying to maybe get even over a grudge or something and by using someone else's computer could have these images brought up and, unbeknownst to the owner of the computer, leave them there. I would hate to think that that kind of thing might happen, but in today's world you just never know what people can do.

We see things happening on Facebook and other Internet sites where people slander businesses. They slander teachers in school, they slander students, and these kinds of defamations are happening. This is an emerging problem, I think. So, this also, I would caution that there could be some more underlying emerging problems that could come out of this. So I

need to just caution the government to think about these kinds of things and how that would be dealt with because, much as we want to target guilty individuals and people that would actually take pornographic images for their own use or dissemination to other people and therefore exploit vulnerable children, which is totally unacceptable, we also recognize that, with technology the way it is today, certain trends are happening with defamation on Internet sites, we need to caution that this kind of thing could spill over here as well, Madam Acting Speaker.

I also just want to conclude my remarks by saying that, yes, this is something that we will support. We support the intent of this bill. There are other things I think that the government has not completely thought through on this bill as they have frequently not done in other bills in terms of enforcement, in terms of how this is actually going to be enforced and if in fact there will even be an attempt to enforce it.

Again, I just want to say there are so many areas of the child welfare system that need to be addressed: the standards of care, the risk assessment tool, the caseload numbers, the protection of the 7,000 children in care as opposed to looking at taking away what is first and foremost, or should be first and foremost in anybody's mind, and that is care and protection of children, best interests of the child not the best interests of the parents and adults surrounding that child in any way, shape or form but the best interests of the child in that particular situation, Madam Acting Speaker.

With that, I will pass my comments to my colleagues and thank you for the opportunity to speak to this bill.

Ms. Jennifer Howard (Fort Rouge): Madam Acting Speaker, I also would like to speak a bit this afternoon about Bill 7. I am very proud that our government is going to be the first in Canada to introduce this kind of legislation to make it against the law to fail to report child pornography.

I did listen very carefully to the Member for Lac du Bonnet (Mr. Hawranik) and the Member for Morris (Mrs. Taillieu) in their questions and comments about this bill. I also find it puzzling. Basically, the argument as I understand it is that this bill might be difficult, might be hard, so let's not even try. I don't think that that's a very compelling argument when it comes to the protection of children and dealing with child pornography.

* (16:40)

Then, of course, we heard from the Member for Morris that we're not doing it fast enough. So her colleague thinks we shouldn't even try, that the bill doesn't matter, and then the Member for Morris thinks we should introduce it more quickly, or do it faster. So it's a very interesting debate they must have within their own caucus when they strategize about how they're going to support and oppose a bill at the same time.

I would like to take on this suggestion for a moment that this law is meaningless, that it doesn't matter, that it's not very good because it's patterned on the prohibitions against failing to report child abuse, and that no one has been charged under that provision so we should not move to include child pornography as child abuse.

Mr. Speaker in the Chair

I think the reality is that laws matter because they tell very clearly to a society where the moral limits are of a society, what is acceptable behaviour and what is not acceptable behaviour. I find it strange that those of us who are charged with making the laws would think that that doesn't matter. I think it's critical, the kinds of laws we make because we make a very strong statement about what we find acceptable behaviour and what we find unacceptable behaviour.

In terms of the prohibition against failing to report child abuse, I just wanted to talk for a minute to members about what that does mean in reality. Of course, previous to being elected, I had the privilege of working at the Women's Health Clinic, and we had a large, large group of volunteers who did tremendous work. They were peer counsellors in a sense, and they met with young people, often who were facing many different kinds of crises, and it was a key part of their volunteer training that if in this discussion with young people someone disclosed child abuse, that they had a legal obligation to report that. It wasn't a question. It wasn't a debate. It was not something where there was any sort of ethical dilemma about breaking confidentiality. It was very clear that there was a legal duty to report child abuse.

So, even if there had not been convictions under that prohibition, it has led, I am confident, to increased reporting of child abuse, and it has made it tremendously easier for those in the medical profession, for those in the counselling profession, all those people who struggle with issues of

confidentiality and privacy with their clients. We have made a very clear statement to them that, if you are in a situation and someone discloses a case of child abuse to you, you have an obligation, a legal obligation, to report. It is against the law for you to fail to report that.

I think that including child pornography as child abuse only makes a tremendous amount of sense because, of course, child pornography is child abuse. It is perhaps one of the most disgusting examples of child abuse, not only because of the way that children are exploited in the manufacture of those images but because of what those images go on to cause when they are viewed by other members of society; I think perhaps most disturbingly the fact that many of those images are used and distributed to create a profit for those who manufacture them. In fact, I think it's interesting to note that 20 percent of confirmed child pornography reports involve a commercial aspect. So these are people whose business, whose motivation for exploiting children is greed, and I cannot think of a better thing for us to stand in this House and create a law about on that.

I also want to just reflect for a moment on why laws are important. I think it was the Member for Morris (Mrs. Taillieu) who said, well, most people obey the law, and this is true. Most people do obey the laws and thank heavens for that, but it is still important to make laws even if most people are going to obey them and most people are going to do the right thing. I hope very much that most people when confronted with images of child pornography would report that to the police, but I think having a law that makes that legal obligation clear is going to remove any room for doubt. It's going to remove any question in anybody's mind who comes across these images what their obligation is. I would anticipate that there would also be some very strong education about this bill and people's obligations under it.

I also wanted to speak for a minute about why laws are important. I was reflecting, when I was listening to the debate earlier, that there was a time in our country where it was not seen to be against the law for a sexual assault to occur within marriage. It was not thought to be something that you could charge someone with if they sexually assaulted their spouse. It was just not thought to be against the law. It was not taken seriously. As a result, it was very difficult for people to make complaints to police. It was very difficult for police to make arrests, and it was very difficult to get convictions until those laws were changed to make it abundantly clear that being

married did not entitle you or give you the right to sexually assault your spouse.

I would have thought, myself, that the opposition party, who stand in this House and purport to be concerned about the safety of children, would have had a little more enthusiasm for this bill which is the first of its kind in Canada. That's what I, perhaps naively, would have expected. I also listened to some of the arguments from the Member for Morris. She uses a tactic that, when I was in philosophy classes at Brandon University, we used to call that kind of argument that she's putting forward the *reductio ad absurdum* argument, reduce everything to the absurd. They are masters of that on the other side of the House. So, make everything as absurd as possible and you can poke holes in any good idea. So, you know, attacking this law, suggesting that, well, if we don't have people looking over the shoulders of people who are fixing computers and in place to enforce this law, then it must not be a very good law. I cannot think of a more specious criticism than that, Mr. Speaker.

I want, for a moment, to reflect on some of the reasons that this kind of law is needed and some of the aspects of child pornography that we know about. According to Cybertip.ca, which is the tip line for reporting on-line child sexual exploitation, which I believe is done by the good people at Child Find Manitoba as well as other partners in industry and the federal government, as well as our own government, the scope of the problem is mind boggling, I think. When you look at the fact that Cybertip.ca has received almost 25,000 reports from the public and 90 percent of those relate to child pornography, that is an incredible scope of this problem.

I think, also, Canadians are concerned about child pornography and Manitobans are concerned about child pornography, as a recent Polara poll showed that 92 percent of Canadians expressed concern about child pornography being distributed on the Internet, and 96 percent of Canadians feel it's important to have a place to report child pornography on-line. So I do agree that most Manitobans, most Canadians, are going to report. Let's remove any doubt in their mind about their obligation to do that.

I think when you look at the scope of the problem in the United States, for example, it's even more mind boggling to think about the number of children that are exploited and abused in the manufacture of child pornography. On average, the

U.S. National Center for Missing & Exploited Children CyberTipline received 700 to 1,100 reports per week. That's every week, Mr. Speaker. You think of that as more than 100 reports a day. The CyberTipline reviews 75,000 to 100,000 images or videos a week forwarded from U.S. law enforcement. That is an incredible, incredible amount of possible child pornography that is going on in the States.

We are not immune to that problem. The Internet, while it has done many good things and made many of our lives easier, unfortunately has also created an environment where it's very easy for those who manufacture child pornography and those who consume it to hide; to hide their identities, to hide from the society that has such strong sanctions against these behaviours.

*(16:50)

So that means we have to continue to look for new ways to address that problem, that technology, unfortunately, is not benign necessarily. Although we use technology to improve our lives in many ways, we also have to guard against the ways that it can be used to bad effects. I think child pornography is a good example of that.

I also want to reflect for a moment on what the situation is in The Child and Family Services Act with respect to an obligation to report instances when a child is or might be in need of protection. These reports, as they are made, are made to an agency or to a parent or a guardian, if appropriate. The issue I think that this bill seeks to address is that the act is not expressly applied to child pornography, and I think we should remove any doubt that child pornography is child abuse.

Children should not be responsible for reporting their own sexual abuse, as they may be afraid or too intimidated to do so. That being said, you know, 30 percent of children who disclose they've been sexually abused do so during childhood and, often, you get one chance at listening and believing a child that reports sexual abuse. Often the first adult who hears that story is the one that sets the tone for how that child is going to survive that experience. So it's very important that we all get educated about the scope of childhood sexual abuse, and we all know what our legal obligations are, and we also know what the best way is to talk to children who have been sexually abused. But, clearly, we should not make children the sole people responsible for reporting their own sexual abuse or exploitation. It

has to be incumbent upon adults to take care of children, to make sure that children are protected, especially those children who are most vulnerable. I think that is the responsibility of any society which would call itself civilized, that we look after children, and especially those children who have been victimized.

I'm proud that our province has taken a great deal of action against child sexual exploitation, that being, in our government, but also many, many non-profit and non-governmental organizations and agencies which have taken on this issue, many of them at a time when it was not popular to talk about child pornography, when it was not popular to talk about child sexual abuse, when these were issues that happened, behaviours that occurred, exploitation that occurred in many communities across the country, and nobody talked about it. The silence, often when you talk to people, adults, who have survived childhood sexual abuse, they talk about the initial victimization, but they also talk about the trauma of being re-victimized because of the silence that was imposed in their community, because when they told maybe nobody believed them, and, even worse perhaps, people tried to make it their fault.

So I cannot commend strongly enough those survivors of childhood sexual abuse who tell their story and tell it over and over again, even though it's hard for us to listen to, even though the most tempting thing in the world would be to not listen, to turn away from those stories because they're so difficult to hear. But it's our responsibility to hear them. It's our responsibility to face, squarely and clearly, the problems that we have in our society, because if we don't face them we cannot deal with them.

So we have taken several steps as a province and as a government against childhood sexual exploitation. We've talked about Cypertip.ca which was established with Child Find Manitoba and federal and industry partners. We developed the first child victim courtroom and waiting rooms, among the first in North America.

This is so important, Mr. Speaker, because I think, for children, the experience of having to go to court, especially when they have been the victims of childhood sexual abuse, that experience of seeing their victimizer—I mean, court for adults can be a very traumatizing experience. Imagine if you're a child and you have to go to court and you have to face the person who victimized you, you have to

face, you know, the lawyers on both sides of the aisle. It's a very confrontational system. That's the way it's set up, and most of the time I think it serves us well. But for children it's a very traumatic experience. So I think that developing a child victim courtroom, developing waiting rooms, being sensitive to the fact that child victims have unique needs that we need to meet, I think that is a tremendous development that we've been able to accomplish.

We've established a strong new Child Victim Support Initiative and specialized prosecutors. I think this is also key. I think we learned several good lessons. I would say this of the previous government as well when dealing with victims of violence against women and domestic abuse. There were huge changes in the '80s and '90s in the way that we dealt with those victims, in the way that we dealt with them in court, in the way that the laws were applied. There was a time when women simply did not see their husbands charged with assaulting them. It was something that people didn't talk about. There was a tyranny of silence about it, and many women and many of their children suffered abuse because we as a society had not come to terms with the fact that family violence does occur and that it is not something that should be kept private. It is not a situation where we should respect the privacy of the home.

We also have established Canada's second AMBER Alert program and led a national effort for a co-ordinated Canadian initiative. This, of course, is to deal with those children who go missing. We've instituted high-risk offender prosecution and correction units. I think I've spoken in this House before about the importance also to figure out how we can treat offenders so that they do not re-offend. I know that everybody in this House knows that those who abuse children, and especially those who sexually abuse children, it is very, very difficult to ensure that they do not re-offend. I know that there are people who do tremendous work with those offenders trying to help them reintegrate into society. So I commend them for doing that because it's certainly not work that I would ever be prepared to take on, but it is very necessary.

Just to sort of close my speaking on this, Mr. Speaker, I think this is an important law. I think laws matter. I think, even if they're difficult to enforce, they matter. I think, if we can take some steps to protect children and to stem the tide of child

pornography, then we should do that, and I'm not afraid of it being challenging. Thank you.

Mr. Rick Borotsik (Brandon West): I guess I could take the opportunity of speaking this one out in the next three and a half minutes.

I would like to, Mr. Speaker, first of all congratulate the Member for Fort Rouge (Ms. Howard). She speaks from her heart on this particular issue. Certainly, she puts her heart and soul into the issue. She brought up some very valid points.

But I would like to, first of all, take some exception to the first comments that she had made with respect to the Member for Lac du Bonnet (Mr. Hawranik) and the Member for Morris (Mrs. Taillieu), because both of those members, when I listened to their opening comments, said quite explicitly that we agree with the legislation in principle. We believe and they believe that the legislation is necessary. As the Member for Fort Rouge said, legislation and the law is necessary, but they also said with some consideration, Mr. Speaker, that all laws must be thought out very thoroughly. All the i's must be dotted, all the t's must be crossed so that we aren't going to have any way of being able to fall through the cracks of the legislation.

Both members of my caucus, both members from this side agreed that child pornography is the scourge of this earth, that anyone who takes part in the child pornography process should be prosecuted to the full extent of the law. That full extent of the law has to be put into a piece of legislation that is going to give us the opportunity to do just that.

Mr. Speaker, I can stand in this House and I can speak as a parent. I can assure you that when my children were growing up I had two great fears. The first fear was the fact that they may have access to drugs, and that, to me, as a parent, was something that I just could not absolutely stand. However, what I did is I street-proofed my children. I made sure that they knew the dangers of drugs. I knew that they knew how that would impact their future lives if in fact they ever got involved in that. We know that there's the opportunity of drugs everywhere we look at in this city and this country. We know that that opportunity is available in the classrooms. We know that that opportunity is available in the playgrounds.

Mr. Speaker: Order. When this matter is again before the House, the honourable Member for Brandon West will have 28 minutes remaining.

The hour being 5 p.m., this House is adjourned and stands adjourned until 10 a.m. tomorrow (Thursday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, December 5, 2007

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